

DTIC FILE COPY

AD-A233 869

The views expressed in this paper are those of the author and do not necessarily reflect the views of the Department of Defense or any of its agencies. This document may not be released for open publication until it has been cleared by the appropriate military service or government agency.

**STUDY
PROJECT**

NATIONAL SECURITY STRATEGY:

THE COUNTERNARCOTICS EFFORT REVISITED 1991

BY

COLONEL GUIDO J. PORTANTE, JR.
Army National Guard

DTIC
ELECTE
APR 03 1991

**DISTRIBUTION STATEMENT A: Approved for public
release; distribution is unlimited.**

USAWC CLASS OF 1991



U.S. ARMY WAR COLLEGE, CARLISLE BARRACKS, PA 17013-5050

91 4 01 090
~~91 4 01 068~~

Unclassified

SECURITY CLASSIFICATION OF THIS PAGE

REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

1a. REPORT SECURITY CLASSIFICATION Unclassified			1b. RESTRICTIVE MARKINGS None		
2a. SECURITY CLASSIFICATION AUTHORITY N/A			3. DISTRIBUTION / AVAILABILITY OF REPORT Unlimited		
2b. DECLASSIFICATION / DOWNGRADING SCHEDULE N/A					
4. PERFORMING ORGANIZATION REPORT NUMBER(S)			5. MONITORING ORGANIZATION REPORT NUMBER(S)		
6a. NAME OF PERFORMING ORGANIZATION U.S. Army War College		6b. OFFICE SYMBOL (If applicable) AWCAE		7a. NAME OF MONITORING ORGANIZATION	
6c. ADDRESS (City, State, and ZIP Code) Carlisle Barracks, PA 17013-5050				7b. ADDRESS (City, State, and ZIP Code)	
8a. NAME OF FUNDING / SPONSORING ORGANIZATION N/A		8b. OFFICE SYMBOL (If applicable) N/A		9. PROCUREMENT INSTRUMENT IDENTIFICATION NUMBER N/A	
8c. ADDRESS (City, State, and ZIP Code) N/A				10. SOURCE OF FUNDING NUMBERS	
PROGRAM ELEMENT NO. N/A		PROJECT NO. N/A		TASK NO. N/A	
				WORK UNIT ACCESSION NO. N/A	
11. TITLE (Include Security Classification) UNCLASSIFIED National Security Strategy: The Counternarcotics Effort Revisited 1991					
12. PERSONAL AUTHOR(S) Portante, Guido, Jr., Colonel, Armor					
13a. TYPE OF REPORT Military Studies Project		13b. TIME COVERED FROM Sep 90 TO Mar 91		14. DATE OF REPORT (Year, Month, Day) 91 03 13	
15. PAGE COUNT 66					
16. SUPPLEMENTARY NOTATION					
17. COSATI CODES			18. SUBJECT TERMS (Continue on reverse if necessary and identify by block number) Counternarcotics; National Guard; Drug War; Reserve Components		
FIELD	GROUP	SUB-GROUP			
19. ABSTRACT (Continue on reverse if necessary and identify by block number) The proliferation of illicit drugs threatens our nation's security and raises questions about how the military can be used to support our nation's strategy to control illicit drugs. The civilian sector, the Administration, Congress, and the military have all wrestled with how best to combat this major social problem. The Anti-Drug Abuse Act of 1986 represented the first step by the President and Congress to increase military involvement in the counternarcotics effort. Subsequently, the Anti-Drug Abuse Act of 1988 was passed. In 1989, amendments to Title XI of the Defense Authorization Act assigned the Department of Defense significant new responsibilities in the counternarcotics effort. Further, the amendments enhanced the role of the National Guard in the counternarcotics effort. The National Guard's role in supporting drug law enforcement agencies in the continental United States has received a great deal of attention in recent years. This study project revisits the issues of our country's counternarcotics effort, focusing on the role of the military. Through interviews, research and a survey, the					
20. DISTRIBUTION / AVAILABILITY OF ABSTRACT <input checked="" type="checkbox"/> UNCLASSIFIED/UNLIMITED <input type="checkbox"/> SAME AS RPT. <input type="checkbox"/> DTIC USERS			21. ABSTRACT SECURITY CLASSIFICATION Unclassified		
22a. NAME OF RESPONSIBLE INDIVIDUAL Richard D. Wilhelm			22b. TELEPHONE (Include Area Code) AUTOVON 242-3510		22c. OFFICE SYMBOL USAWC-AWCAE

~~91 4 30 008~~

study explores the mood of the nation in determining the amount of support that exists in our country for the use of military forces in controlling illicit drugs. The study provides insights to the critical questions: Does the nation support the use of the military in our effort to control illicit drugs? Does the nation support the President's National Drug Control Strategy?

Accession For	
NTIS GRA&I	<input checked="" type="checkbox"/>
DTIC TAB	<input type="checkbox"/>
Unannounced	<input type="checkbox"/>
Justification	
By	
Distribution	
Availability / Ref	
Dist	Special
A-1	

USAWC MILITARY STUDIES PROGRAM PAPER

The views expressed in this paper are those of the author and do not necessarily reflect the views of the Department of Defense or any of its agencies. This document may not be released for open publication until it has been cleared by the appropriate military service or government agency.

**NATIONAL SECURITY STRATEGY:
THE COUNTERNARCOTICS EFFORT REVISITED 1991**

AN INDIVIDUAL STUDY PROJECT

BY

Colonel Guido J. Portante, Jr., AR

Colonel Richard Wilhelm
Project Advisor

US Army War College
Carlisle Barrack, Pennsylvania 17013

DISTRIBUTION STATEMENT A: Approved for public release; distribution is unlimited.

ABSTRACT

AUTHOR: Guido J. Portante, Jr., COL, AR

Title: **National Security Strategy: The Counternarcotics Effort Revisited (1991)**

Format: Individual Study Project

Date: 6 March 1991 PAGES 64/CLASSIFICATION: UNCLASSIFIED

The proliferation of illicit drugs threatens our nations security and raises questions about how the military can be used to support our nation's strategy to control illicit drugs. The civilian sector, the Administration, Congress, and the military have all wrestled with how best to combat this major social problem. The Anti-Drug Abuse Act of 1986 represented the first step by the President and Congress to increase military involvement in the counternarcotics effort. Subsequently, the Anti-Drug Abuse Act of 1988 was passed. In 1989, amendments to Title XI of the Defense Authorization Act assigned the Department of Defense significant new responsibilities in the counternarcotics effort. Further, the amendments enhanced the role of the National Guard in the counternarcotics effort. The National Guard's role in supporting drug law enforcement agencies in the continental United States has received a great deal of attention in recent years. This study project revisits the issues of our country's counternarcotics effort, focusing on the role of the military. Through interviews, research and a survey, the study explores the mood of the nation in determining the amount of support that exists in our country for the use of military forces in controlling illicit drugs. The study provides insights to the critical questions: Does the nation support the use of the military in our effort to control illicit drugs? Does the nation support the Presidents National Drug Control Strategy?

TABLE OF CONTENTS

	Page
ABSTRACT.....	ii
CHAPTER I. INTRODUCTION/BACKGROUND.....	1
II. MILITARY INVOLVEMENT.....	7
III. PROPER ROLE OF U.S. MILITARY IN COUNTER- NARCOTICS: WHAT SHOULD IT BE?.....	11
IV. THE GALLUP PUBLIC OPINION POLL.....	15
V. THE GOVERNORS' RESPOND.....	18
VI. SURVEY QUESTIONS AND RESPONSES.....	23
VII. LAW ENFORCEMENT RESPONDS.....	53
VIII. THE FUTURE.....	61
APPENDIX: A.....	64
BIBLIOGRAPHY.....	65

CHAPTER I

INTRODUCTION/BACKGROUND

DEFINING THE THREAT

The wide spread use of illicit drugs is generally recognized as one of the most severe social and economic problems prevalent in our country today. The security of the United States is threatened as a result of the corrupting effect illicit drugs have on the moral and social fabric of our society. It is important to understand how illicit drugs threaten the national security of our country.

First, availability of illicit drugs serve as a major part of the threat. Marijuana, cocaine, heroine, ice, (crystal methamphetamine) and crack (cocaine with additives) are the most sought after illicit drugs. Reducing the flow of these drugs would solve much of the supply side of our drug problem. Drug interdiction by law enforcement agencies, with support from the military, represents the current government strategy to attack this aspect of the threat.

Second, the "user"--the demand side--can be regarded as part of the threat. The "user" contributes to crime and their actions in turn contribute to the decline in the economic well-being of our country. The illicit drug user becomes an "anchor" on society, instead of a contributor to society. The current strategy is to attack this aspect of the threat with severe prison sentences and improve treatment and rehabilitation facilities. Our national polices are

focused in part on seeking to inform and educate the public about the perils of drugs. In addition, attempts are being made to streamline the judicial system to ensure that timely and efficient justice is provided.

Third, the producer of illicit drugs represents another aspect of the threat. Some producers are located within the borders of our country; while others are located in foreign countries. The most prominent foreign producers are from Central and South American countries; they have formed large cartels to conduct their illegal business. Cocaine is the leading export for these cartels. Within our borders, smaller illicit drug operations produce synthetic drugs such as Ice and Crack. Although smaller in size, these producers pose just as great a threat to our country's stability as the large producer. To combat this threat, law enforcement and the military are attempting to dismantle the infrastructure of the producer at its source location.

Fourth, marijuana farming is by far the most troubling problem that we face within the borders of our own country. Marijuana farming has increased in the last decade by quantum leaps in terms of plants available for market. Although marijuana grows better in some areas of the country than others, almost every state in the union has marijuana grown within their borders. Each state has eradication programs to contend with this menace. To combat this threat, law enforcement officials--with support from the military--attempt to eradicate and dismantle the farming infrastructure

at its source.

Fifth, the distributor of illicit drugs can be regarded as another aspect of the threat. In many cases, the producer and the distributor are the same. However, most distributors operate independently from the producer. The distributors and the producer contribute to the supply side of our drug problem; however, stopping them would greatly assist with reducing the demand side. As drug supplies diminish, the cost of drugs would increase substantially. Thus they would become unaffordable even to the hardcore drug user.

Sixth, the amount of dollars generated by the illicit drug industry are astronomical. Some leading authorities say it is a hundred billion dollar a year industry. Money laundering has become an art within the international financial community, and the impact of this unaccounted-for money on our economy and the world economy has not yet been defined. Dollars flow in such large quantities that even those sworn to uphold the law are tempted to break it; some do.

Thus the threat that illicit drugs pose to our national security has many facets. It is widely agreed that drugs constitute a serious threat to the nation's well-being. A General Accounting Office report notes that, "Drug abuse and trafficking threaten National Security by degrading the nation's moral fiber and health, adversely affecting its economy, and undermining its foreign interest." (1) Political pressure from constituents concerned about increased drug

abuse--with second and third order effects on society--has caused our elected officials to take a profound interest in drug abuse in our country. To deal with all aspects of the threat, the Administration has promulgated a set of goals--a strategy to combat the threat--outlined in the National Drug Control Strategy issued in September 1989 and January 1990.

PROBLEM GENERATED BY THE THREAT

Today, more than ever, drug use in America is the leading cause of social disorder. With its accompanying crime, health, and economic impacts, drug use is at an all-time high. All segments of society are affected: the rich, the middle class, and the poor. Drugs are everywhere: in large metropolitan cities, in "mom and pop" townships. The statistical evidence of the drug epidemic is overwhelming:(2)

Drug use has risen since 1981 at the rate of 300 percent each year.

2,000 Americans are arrested for drug related crimes each day.

5,000 Americans will try cocaine for the first time each day.

750,000 Americans are regular heroine users.

6,000,000 Americans are regular cocaine users.

23,000,000 Americans are regular marijuana users.

38,000,000 Americans are using some illicit drug.

Drug-related homicides continue to rise. Washington, D.C. for example, had over 500 homicides this past year, most of which were related in some way to illicit drug use or

distribution. Drug offenders account for the single largest and fastest growing sector of our prison population. Health care costs have risen tenfold due to drug use; hospital and treatment centers are not capable of handling all the cases adequately. The number of new-born infants affected by drug use has grown proportionately. Currently, 375,000 new-born infants are affected annually by mothers on drugs.(3)

Likewise, gang violence is increasing in large part because of the influence the use and sale of illicit drugs has on gang members. Gangs are increasing in numbers and spreading across the United States to touch all municipalities, wielding more crime and violence as they go.

Narcoterrorism is more prevalent today than ever. According to the U.S. Drug Enforcement Administration (DEA),

narcotics have provided financial support for "rural insurgents, urban terrorists, liberation movements, arms traffickers, subversives and high-level officials acting on behalf of their government.(4)

Illicit drugs are having a profound and damaging effect on our society. Drugs have taken lives, wrecked careers, broken homes, invaded schools, incited crimes, tainted business, toppled heroes, and corrupted police as well as politicians. They have infected every aspect of our private and public lives.(5)

ENDNOTES

1. United States General Accounting Office, Drug Control: Issues Surrounding Increased Use of the Military in Drug Interdiction, (GAO/NSIAD-88-156) April 1988, p. 4.
2. Herbert R. Temple, Jr., The Nation's War on Drugs, Vital Speeches of the Day, Vol. LV, No. 17, 15 June 1989, pp. 516-519.
3. Karen DiegmueLLer, Passing a Legacy of Drug Addiction, Insight, 4 September 1989, p. 22.
4. Mark P. Hertling, Narcoterrorism: The New Conventional War, Military Review, March 1990, p. 17.
5. Richard M. Smith, The Drug Crisis, Newsweek, 16 June 1986, p. 15.

CHAPTER II

MILITARY INVOLVEMENT

Given the threat illicit drugs pose to our nations security and the problems generated by this threat, it is hardly surprising that the Department of Defense (DOD) has been called upon to assist in meeting the supply side challenges of the National Drug Control Strategy--interdiction of drugs.

DOD also provides an organizational model in terms of supporting the demand reduction challenges of the National Drug Control Strategy. Since the Vietnam War, the military services have worked hard to diminish the use of drugs among their service members through drug testing and rehabilitation. No soldier has been turned away if he truly wanted to stop using drugs. The results have been very successful. The military establishment offers compelling evidence that large institutions can make a stringent drug policy part of the institutional mission.

Beyond keeping its own house clean, however, a major issue is whether or not the military should get involved in the counternarcotics effort? Without question, yes. The military is an instrument of government. Therefore, any threat to our national security or national interests is justification for military response. More realistically, the question should be how the military can best be used to support the counternarcotics effort and for how long? The

subsequent chapter will discuss these questions in more depth.

The military--both Active Component(AC) and the National Guard(NG)--have in fact increased their involvement in the counternarcotics effort. DOD has been supporting the counternarcotics effort since 1981. In fact, the National Guard's involvement in the drug war began in 1977 with Operation **Green Harvest** in Hawaii.(1) At the time, National Guard helicopters began assisting law enforcement officials in eradicating marijuana plants.

The Anti-Drug Abuse Act of 1986 represented the first step by the President and Congress to increase military involvement in the counternarcotics effort. Subsequently, the Administration and Congress amended the Act through Title XI of the FY 1989 Defense Authorization Act, which assigned the Department of Defense significant new responsibilities in the counternarcotic effort:

First the department was directed to serve as the "single lead agency for the federal government for the detection and monitoring of aerial and maritime transit of illegal drugs into the United States." Second the legislation required that the Secretary of Defense integrate into an "effective communication network," the "command, control, communications and technical intelligence assets of the United States that are dedicated to the interdiction of illegal drugs." Finally, the Act provided for an enhanced role for the National Guard, under the direction of state governors, to support state drug interdiction and law enforcement operations. (2)

As a result, the counternarcotics effort--"The War on Drugs"--has become an important part of the national strategy of the United States. In the President's National Drug

Control Strategy of 1989 and 1990, the Department of Defense was designated the lead agency to coordinate military efforts with Drug Law Enforcement Agencies (DLEA's) to stem the flow of drugs into the United States. The Secretary of Defense issued broad new guidance to the Department stating that "DOD has a 'crucial role' in defending the United States from the scourge of illegal drugs." He asserted that the military will employ the resources at its command to accomplish that mission effectively. Further, he proclaimed "that the production, trafficking and use of illegal drugs is a high-priority national security mission of the Department of Defense". (3)

The Department of Defense and each of its military services will thus continue to be active in supporting the President's National Drug Control Strategy. Our National Drug Control Strategy is multinational and multiagency; its principal objectives are to reduce the supply and demand for illegal drugs. These are political objectives which provide the basis for establishing a national drug policy. The use of the military--one of many instruments of our national power--provides a way of reaching those objectives and obtaining national policy goals.

Our political leadership--now and in the future--will be required to focus national resources and attention on this issue until illegal drugs and their impact are substantially reduced. Therefore, the military will have an increasingly important role to play. Mr. Stephen M. Duncan, DOD

coordinator for drug enforcement and support and Assistant Secretary of Defense for Reserve Affairs asserted that, "The men and women of America's armed forces will continue to be an important part of the national effort to secure for all Americans, a drug-free America." (4)

The military services have traditionally had limited involvement in dealing with social issues in our country. The proliferation of illicit drugs creates a unique problem regarding the employment of military forces to resolve social issues. However, there is little doubt that this is an appropriate mission for the military services.

The British scholar General Sir John Hackett states succinctly why the military must be involved in its country's social ills: "The function of the profession of arms is the ordered application of force in the resolution of a social problem." (5)

ENDNOTES

1. Herbert R. Temple, Jr. and Walter L. Stewart, The National Guard in the War on Drugs, Military Review, March 1990, p. 41.
2. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 1.
3. Ibid.
4. Ibid.
5. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 12.

CHAPTER III

PROPER ROLE OF U.S. MILITARY IN COUNTERNARCOTICS: WHAT SHOULD IT BE?

The President's National Drug Control Strategy, among other initiatives, outlines three actions required to combat illegal drugs by interdiction: First, stop the source of drugs in producing countries; second, stop the drug pipeline to the United States; and third, stop the drug supply line within the United States. Military operations are uniquely designed to support each of these objectives, aiding interdiction on land, in the air, or at sea.

At the source of drug production in foreign countries, the Active Component has taken the lead. It should continue to do so. Cutting off drug sources in foreign countries is a mission well-suited to military ground action. Operation **Blast Furnace**, conducted in Bolivia in 1986, was our government's first attempt at conducting military operations designed to curtail drug processing and export from a foreign country.(1) U.S. military strategy and doctrine places a great deal of emphasis on military operations involving Low Intensity Conflict (LIC). The Active Component is well trained and equipped to conduct missions of this nature.

One of the four categories of LIC specifies peacetime contingencies. A subset of this category is military support to counternarcotics operations. However, it must be noted that the military can not operate alone: In the LIC environment, host nation teams, drug law enforcement

agencies, the Central Intelligence Agency, the State Department, and other agencies must all contribute to a coordinated strategy, if our efforts are to succeed.

Second, concerning the drug pipeline to the U.S., the Coast Guard, Air Force, and the Navy have been the front-line force in drug interdiction. Through detection and monitoring capabilities, the Navy, Coast Guard, and the Air Force have all contributed to aerial and maritime surveillance to support (DLEA's). For example, the Air Force provides AWACS aircraft to extend radar coverage; the Navy provides patrols, both in the air and at sea, to curtail illicit drugs from entering our waters; and the Coast Guard conducts search and patrol operations in conjunction with the Navy. The Navy and Coast Guard forces have been jointly operating in the Caribbean since 1981.(2) Through increased efforts in this area, along with cooperation from source countries and other foreign countries, aerial and maritime interdiction can be highly successful.

Third, regarding drug supply lines in the U.S., the military--the National Guard specifically--has been very active. The Active Component provides state-of-the-art equipment directly to DLEA's. Likewise, the National Guard's provision of equipment and personnel to conduct surveillance, searches, logistical support, and training of DLEA's has increased ten-fold. The National Guard is best suited for these missions for two reasons: First, National Guard soldiers are not constrained by posse comitatus. The Posse

Comitatus Act, established in the late 1800's after the Civil War, prohibited the active military forces from conducting civilian law enforcement activities. The law was modified in 1981 and again in 1988 to provide legal authority for active military forces to participate in the counternarcotics effort in support of law enforcement operations. For the Active Component, search, seizure, and arrest must continue to be preformed by law enforcement officials. Under Title 32 status, the National Guard is exempt from this Act.(3) National Guard policy currently does not allow soldiers of the National Guard to become involved with arrest and seizure. Second, "the traditional role of the National Guard, 'The State Militia', has been to provide protection for the citizenry of its home state. The National Guard has been the States' first line of support in natural disaster, civil disturbance and in subduing forces that threaten the welfare of the populace. It is this traditional mission that propelled the National Guard to the forefront in the 'war on drugs.'(4) Who are better suited to support DLEA's than citizen soldiers helping their own communities to combat illegal drugs?

Deploying the military to support the counternarcotics effort will not provide a panacea to the illicit drug problem. However, the military has the trained personnel and equipment in place to make a significant contribution. The role of the military in the counternarcotics effort should remain a support mission. Military resources--both personnel

and equipment--can assist law enforcement agencies in all facets of their operations. An exception to this would be arrest and seizure. Criminal justice activities are best performed by law enforcement officials and responsibility for prosecution to the judicial system.

ENDNOTES

1. Mark P. Hertling, Narcoterrorism: The New Conventional War, Military Review, March 1990, p. 22.
2. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 2.
3. Aleksandra M. Rohde, Pushing the Limits of Posse Comitatus, National Guard Magazine, Vol. 43, No. 8, August 1989, p. 41.
4. Herbert R. Temple, Jr., and Walter L. Stewart, The National Guard in the War on Drugs, Military Review, March 1990, p. 41.

CHAPTER IV

THE GALLUP PUBLIC OPINION POLLS

In the preceding chapters discussion centered on the drug threat. We have traced military involvement in the "war on drugs" and how the military can be used to support our nation's strategy to control illicit drugs. Debate on the issues of military involvement in the "war on drugs" and how the military can be used to support our nation's strategy--in the counternarcotics effort--have been on going for some time. The civilian sector, the Administration, the Congress, and the military have all wrestled with how best to combat this major social problem.

What do Americans want most from government regarding the illicit drug problem? In a Gallup poll conducted in September 1986, the question was asked:

There are many things that our government is doing to fight drug use. Which one of the following activities in the government's fight against drugs do you think deserves the most money and effort? And which do you think is the next most important?

All respondents--male and female, college educated, high school educated, and less than high school educated--all were overwhelmingly in favor of, first, allocating more funds and effort to teaching young people about drug abuse, and, second, of allocating more funds and effort to stopping the flow of drugs from entering this country. Very few respondents were concerned with treatment or arrest of abusers. Over 50 percent of those polled indicated that not enough

funding was being provided to the counternarcotics effort.

In a Gallup public opinion poll conducted in March 1988, the question was asked:

In your opinion, which of the following would do the most to halt the drug epidemic in the United States: helping drug users to obtain treatment to overcome their dependency, making it harder for illegal drugs to get into the country, or educating young people and other nonusers about the dangers of drug abuse? (2)

The following categories of respondents participated in this survey: Male and female; ethnic background: white and black; education: college graduate, college incomplete, high school graduate, and less than high school graduate; age groups: 18-29, 30-49, and 50 years and over. As in the Gallup poll conducted two years earlier, the respondents in all categories placed education as the first priority in combating illicit drugs and efforts to halt the flow of drugs into our country as the second priority in combating illicit drugs. These results suggest that the first priority should be focused on demand reduction while the second priority should be focused on supply reduction. Nearly 50 percent of the respondents favored educating young people about the dangers of drug abuse as an effective way to attack the problem. Further, 35 percent of the respondents favored interdiction of drugs as an effective way to attack the problem. Notably, respondents over 50 years of age indicated interdiction of drugs was their number one choice in combating illicit drugs in our country. Once again, other strategies did not rate high among strategies approved by respondents for attacking the drug problem.

In response to issues raised by the American public, lawmakers took legislative action beginning in 1986 with the Anti-Drug Abuse Act of 1986 to deal with public concern in this regard. Continuing concerns are reflected in the fact that funding for the counternarcotics effort has increased each year since 1986. Funds have been allocated to deal with all of the strategies detailed in our nation's National Drug Control Strategy. But substantially more funds have been allocated to education and interdiction to stem the demand and supply for illicit drugs than ever before.

These appropriations include substantial funds for the National Guard. As stated in preceding chapters, the interdiction missions of our National Drug Control Strategy--stopping the supply of drugs into our country--are well suited for military operations. Because the National Guard normally operates under State authority, it is important to consider the Governors' role in the National Drug Control Strategy.

ENDNOTES

1. George Gallup, Jr., The Gallup Poll: Public Opinion 1986, pp. 191-194.
2. Ibid., 1988, pp. 52-54.

CHAPTER V
THE GOVERNOR'S RESPOND

Title XI of the Fy 1989 National Defense Authorization Act provides for an enhanced role for the National Guard, under the direction of state governors, to support state drug interdiction and law enforcement operations.(1) But this was to be only in a supporting role. As a result, the National Guard has been the leading military organization in the continental United States to support drug law enforcement agencies in combating illicit drugs from entering into our country. Surveillance missions along our borders, searches at our seaports and land ports of entry, marijuana eradication missions, clandestine airfield surveillance and others, indicate just a few of the support missions requested by law enforcement officials. With units and armories located in every major city and many townships and counties throughout our nation, the National Guard is a grass-roots, heartland organization. The very nature of being a citizen soldier ties each individual member to his community. Thus, the bond that exists between the community and the citizen soldier are examples of the American resolve, or the will of the nation to support our nations counternarcotics effort.

As the top elected public official, the governor's influence in all matters pertaining to the utilization of the military in his state--which include Army and Air National Guard forces--has both National and state political

implications. The Governors generally have experience and knowledge regarding the counternarcotics effort in our country, as well as, an understanding of the role of the military--specifically the role of the National Guard. Regardless of political party affiliation, the Governor has implied responsibility to support the overall National Drug Strategy of the United States and to carry out the mandate of the people of the state.

At appendix A, is a copy of a questionnaire survey that was sent to the Governors of each state, territory, and the District of Columbia in October 1990. The questions selected in the survey were designed to collect information from the Governors that would answer questions regarding the use of the military and their knowledge of the National Drug Control Policy. Many of the questions were straight-forward, requiring a single answer. A few of the questions had multiple choice answers from which the respondent could select more than one answer per question. Other questions were open ended and gave the respondent a great deal of flexibility in writing a descriptive response. Responses from each Governor provided some insight into how elected officials and politicians perceive the role of the military in the counternarcotics effort and our nation's drug policy. Additionally, the survey elicited official opinion on continued employment of the military--specifically the National Guard as the lead organization--in support of our National Strategy on Drugs in each state.

National Guard units from all states and territories are involved in some form of assistance to law enforcement in support of the counternarcotics effort. The planning for the counternarcotics operations is done at the Office of the Adjutants General--the military department of each state or territory. The actual operations and employment of troops are usually left to the field units and subordinate commands; they work closely and directly with drug law enforcement agencies to support the counternarcotics effort.

Over sixty percent of the Governors responded to the survey questionnaire. This was a very large return based on the fact that the survey was conducted at the height of state elections for the office of governor. All but a few Governors responded personally; some had their political aides respond, and a few had their Adjutants General respond. The responses provide some useful insights for interpretation and analysis in answering these important survey questions.

All of the respondents have interest in the counternarcotics effort and strategies put forth by the Administration. Many provide additional comments. The number of responses received, provides a reasonably consistent and comprehensive portrayal of the American peoples perception of the military role in the counternarcotics effort.

The primary goal in conducting the survey was to determine, through insights provided by the top elected officials of state government, the role of the military in the counternarcotics effort: what should the military do?

Is there a role for the military in the counternarcotics effort? The analysis would provide an indication of elected officials attitude toward employment of the military in support of the counternarcotics effort. The respondents insights are helpful due to their first hand knowledge in determining the effectiveness of the counternarcotics efforts in their respective States. At the same time, it is important to note that the role of the military in support of the counternarcotics effort--especially support to DLEA's--is in a very formative stage. More statistical data is necessary to determine its effectiveness, in terms of funds allocated in relationship to funds expended, on use of the military in support of the counternarcotics effort.

In sum, the survey results support my judgement that the role of the military will increase in the counternarcotics effort. Elected officials are greatly concerned about illicit drugs in our country and within their respective states. Thus, elected officials are willing to support a National Drug Control policy. They want to reduce the use of drugs in our country, and they are willing to use the military in this effort. Further, the results of the survey also indicate that elected officials favor--interdiction of drugs and education of their constituents, as the top two priorities in combating illegal drugs in our country.

This research clearly indicates that the American people, the Congress, the Administration, and elected state officials are all concerned with the illicit drug problem in

our country. The two most important strategies that surfaced for combating illicit drugs were educating the American public and interdicting drugs prior to entry into our country, while eradicating the supply line within our own boundaries. The American people are willing to pay for this strategy. Congress has legislated funds to support the American resolve.

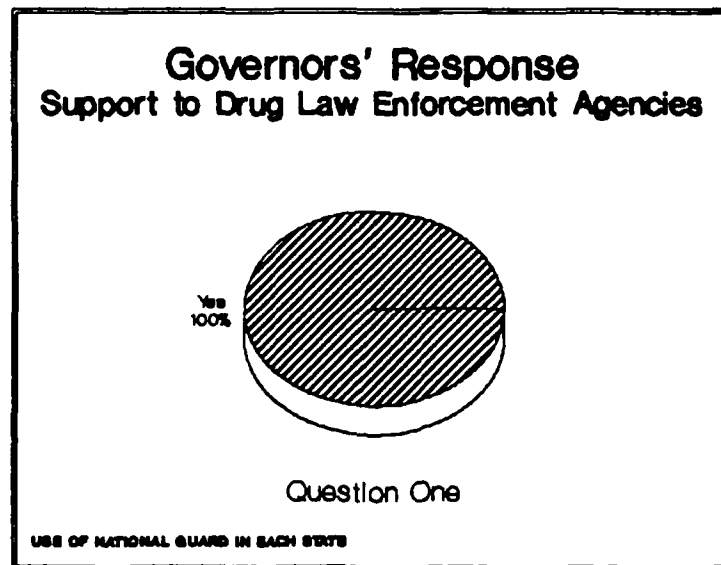
The following chapter provides an analysis and summary of the responses received from the governors. Each question is followed by a chart, and where appropriate additional comments are provided.

ENDNOTES

1. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 1.

CHAPTER VI
SURVEY QUESTIONS AND RESPONSES

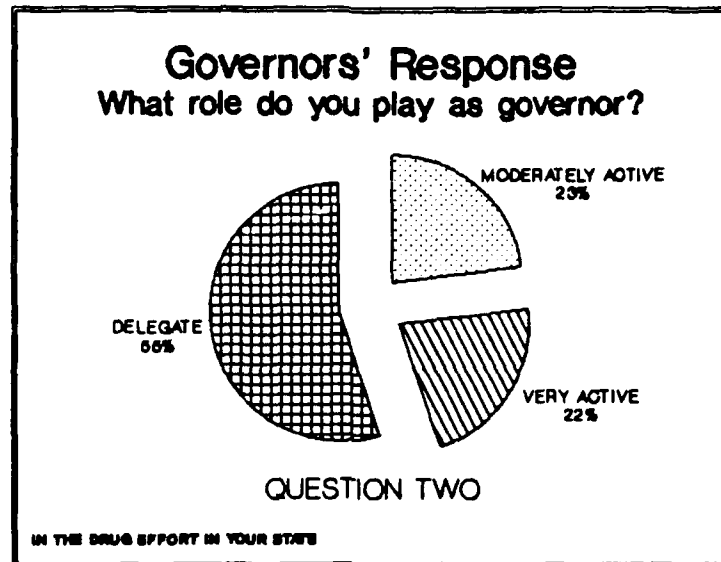
1. Title XI of the FY 1989 National Defense Authorization Act provides an enhanced role for the National Guard, under the direction of the State Governor, to support State Drug interdiction and law enforcement. Do you use the National Guard in your State for drug interdiction and support to law enforcement agencies?



In every case the respondent answered in the affirmative. Respondents all employ the National Guard--both Army and Air--in support of drug law enforcement agencies. "Fifty-four separate state and territorial plans were submitted to the Department of Defense for review and approval in FY 1989 and FY 1990. Most of the plans were developed by the states on the basis of requests for support from various drug law enforcement agencies, sheriffs' departments and local police departments." (1) These plans serve as a basis for federal resourcing of state military operations in support of the counternarcotics effort. Further, they identify specific

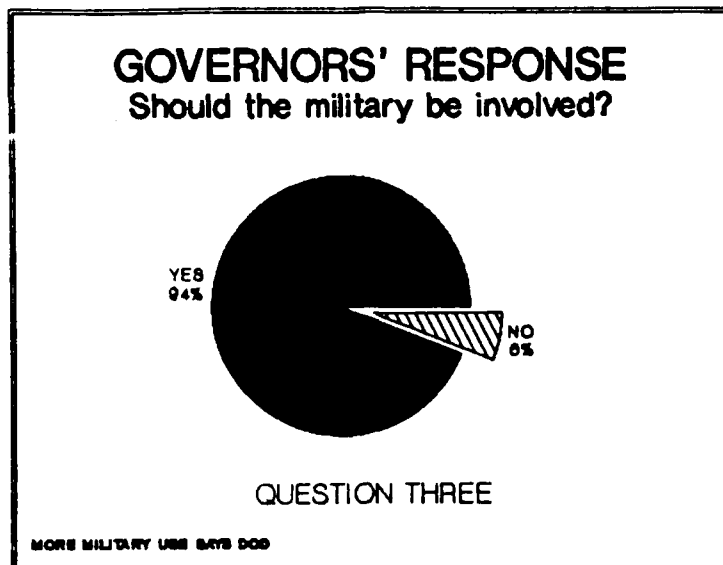
types of operation support missions to be conducted during the applicable fiscal year.

2. What role do you play as governor, in providing guidance or directing the counternarcotics effort, in your State?



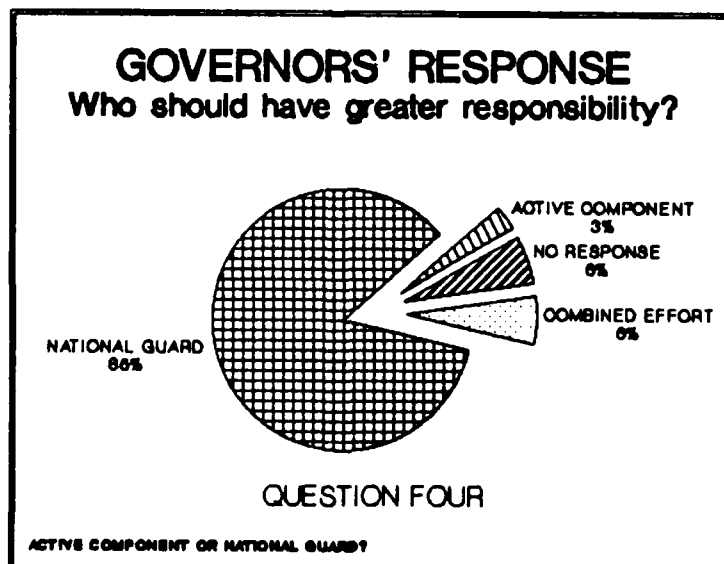
Most governor's responded that they delegate their authority to a special assistant or delegate the responsibility directly to the Adjutants General of the State. Moreover, it is of interest to note that when the percentages between moderately active and very active are combined, 45 percent of the governors do more than just delegate their responsibility to the counternarcotics effort. An argument can be made that a vast majority of the top elected officials have a hand in their State's counternarcotics effort. Responses to this question clearly indicate that politicians are well aware of the illicit drug problem and are personally responding to the concerns of their constituents.

3. The military is being requested by the Department of Defense to become more involved in counternarcotics interdiction. Should the military be involved?



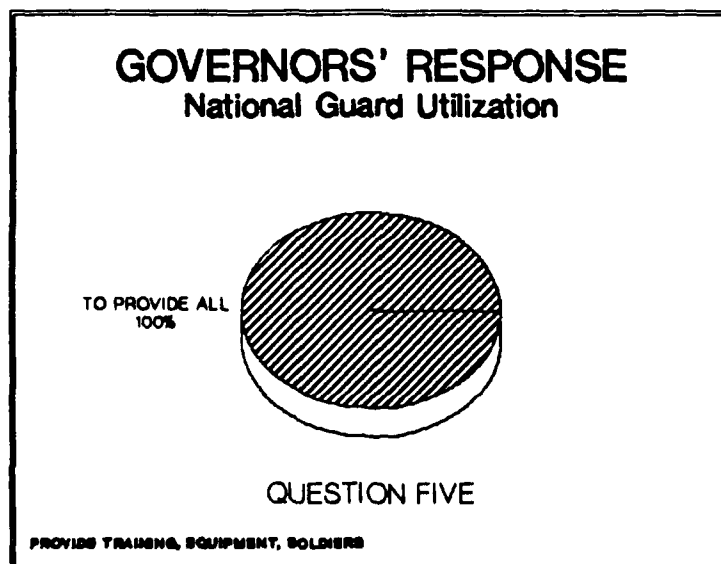
The overwhelming response to this question was to support military involvement in the counternarcotics effort. However, six percent favored no involvement. Governors who responded negatively did not provide additional comments to indicate why they would not support military involvement.

4. If you responded to question number 3 in the affirmative, who should have greater responsibility for conducting drug interdiction, the Active Component or the National Guard?



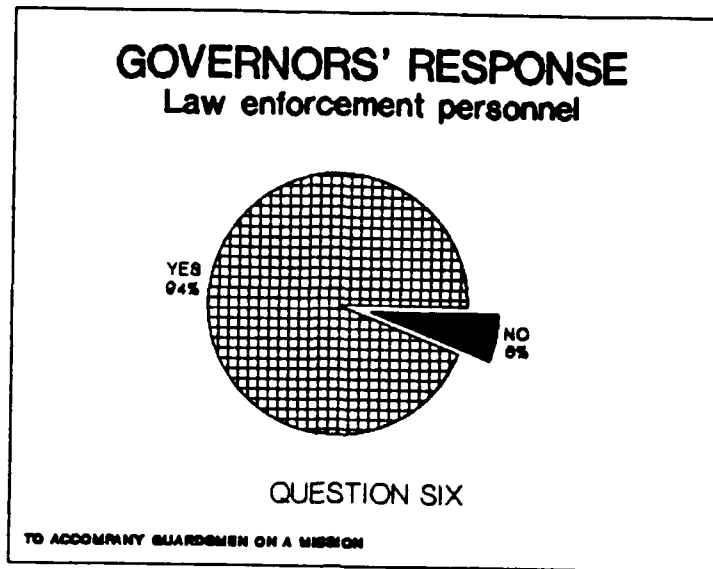
The respondents were only given two choices to chose from: Active Component or National Guard. Some did not respond, and others would prefer to see a combined effort. However, the responses suggest that the governors who support the use of military forces in counternarcotic operations generally feel that their state military forces should have the greater responsibility for conducting counternarcotics interdiction.

5. In your opinion, how should the National Guard be utilized in the counternarcotics effort?



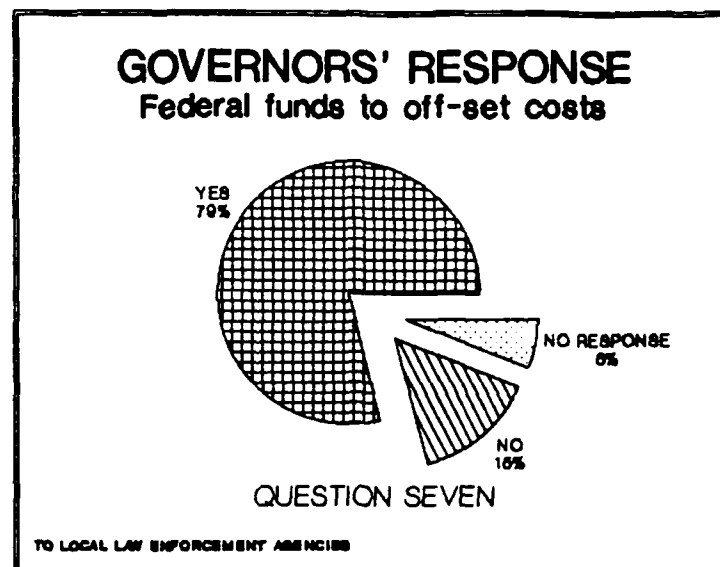
The governor's overwhelmingly indicated their support to law enforcement agencies in the counternarcotics effort. They would be willing to provide National Guard training, equipment, and personnel to assist law enforcement officials in combating the drug problem.

6. Does your State require law enforcement personnel to accompany Guardsmen when on a mission?



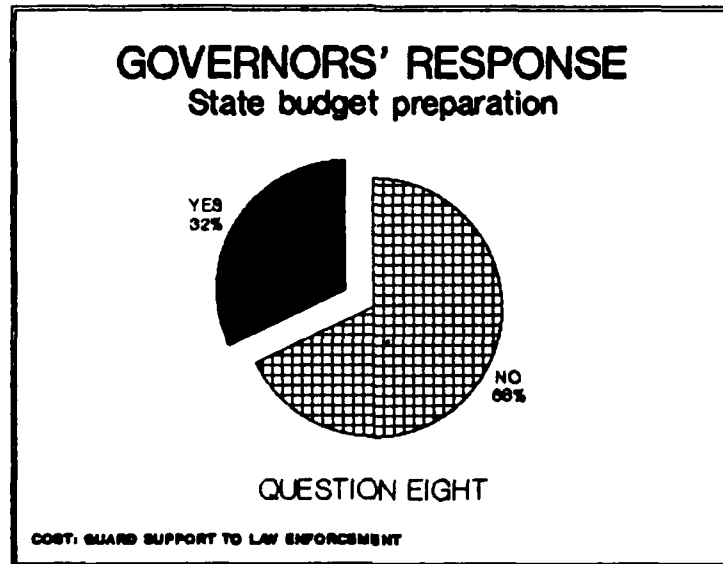
As the demand for the military to become more involved with support to law enforcement in the counternarcotics effort, questions were asked concerning rules of engagement, chain of custody, arrest and seizure. Who should be responsible for these actions? As previously noted, the **Posse Comitatus Act** precludes the Active Component from conducting these actions; the National Guard is also precluded due to National Guard Bureau policy. Therefore, most states ensure that the military--specifically National Guard soldiers--do not become involved in these actions. Rather, they require a law enforcement officer to be physically with the soldiers, or on call, to take the necessary actions to support mission requirements.

7. Should the federal government provide funds to off-set the cost to local and state law enforcement personnel to support federal programs, i.e., to have law enforcement employed with Guardsmen while in support of law enforcement activities?



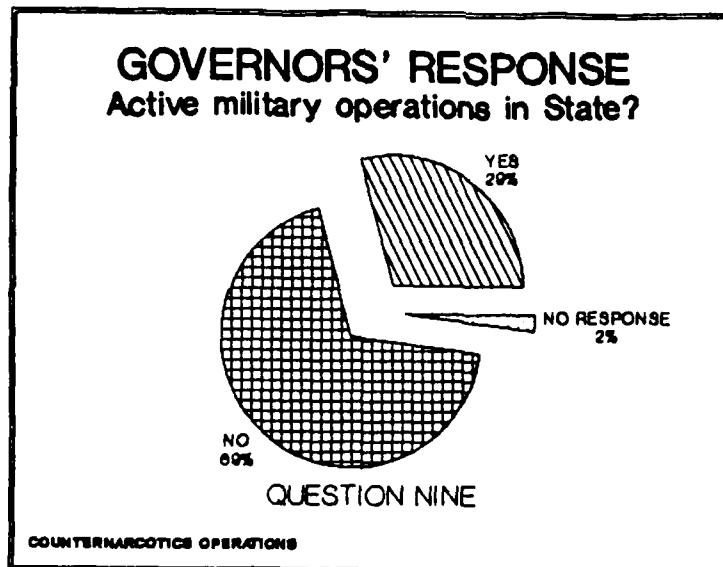
As the campaign began to unfold in support of the National Drug Control Strategy, federal, state, and local drug law enforcement agencies were caught short in their budgets to provide the manpower and the overtime pay to conduct the counternarcotics effort around the clock. The requirement to have law enforcement officers with soldiers while conducting mission requirements in support of law enforcement activities added to the funding problem. Law enforcement agencies were frustrated because they were short on manpower and funds to begin with: this is one reason why they sought military support. Once the military support was provided, law enforcement agencies still had manpower and overtime problems because of restrictions placed on how military personnel could be employed in support of their illicit drug operations. Most of the governors support federal funding to local law enforcement agencies to off-set additional operational cost related to the counternarcotics effort.

8. In preparation of your State budget, do you include the cost of Guard support to law enforcement in support of the counternarcotics effort?



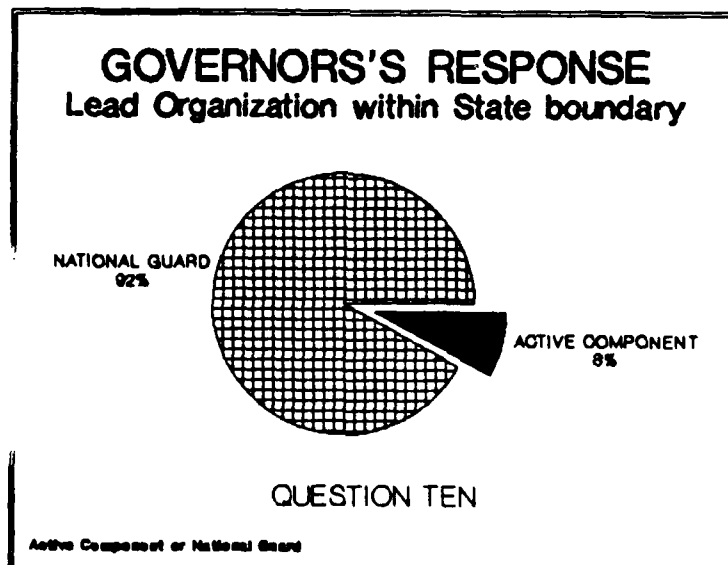
Funding provided to the states for counternarcotics operations by the federal government initially was for reimbursement of personnel costs. In the initial stages of the operations, overhead costs were born by the states to get the operation underway, and to meet the mandate of the National Drug Control Strategy. Governor's did not provide additional comments to this question. Therefore, no conclusions can be drawn from data provided as to whether this is a continuing problem for most states.

9. Do active military forces conduct counternarcotics operations within your State?



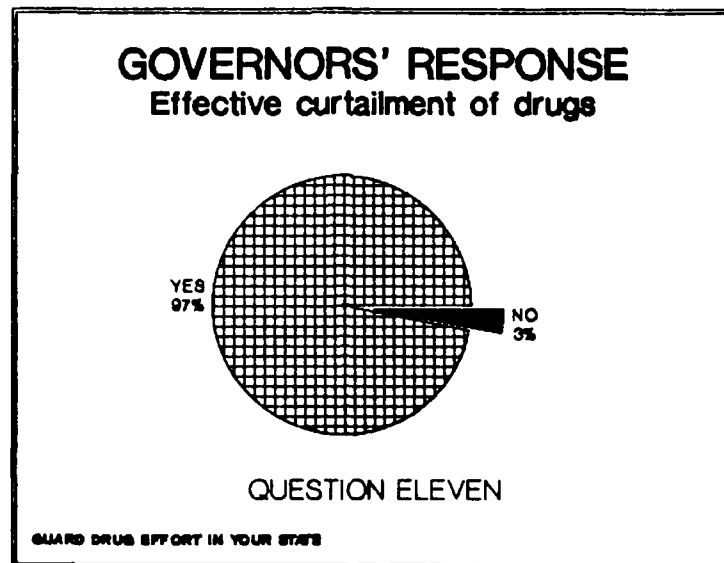
The active military has not been involved in the counternarcotics effort within the continental United States to a large degree. However, recently they have conducted support missions in Oregon, California, and Arizona, among others. Most governors favor the National Guard as the lead military agency to provide support to the counternarcotics operations in their states.

10. Within your State boundaries, should the active military or the National Guard be the lead organization in support of law enforcement with regards to counternarcotics efforts?



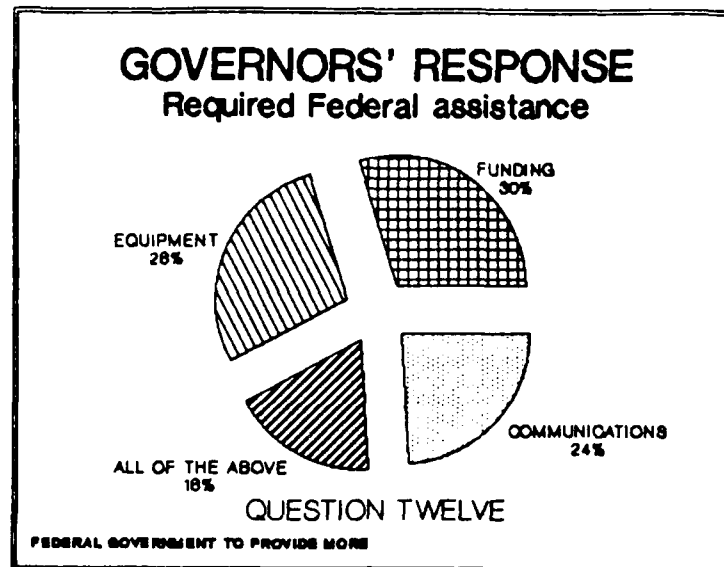
There is general agreement among governors that the National Guard should be the lead military organization within state boundaries in support of law enforcement with regards to counternarcotic efforts.

11. Do you consider the counternarcotics effort conducted by your Guard organization to be effective in the curtailment of drugs in your State?



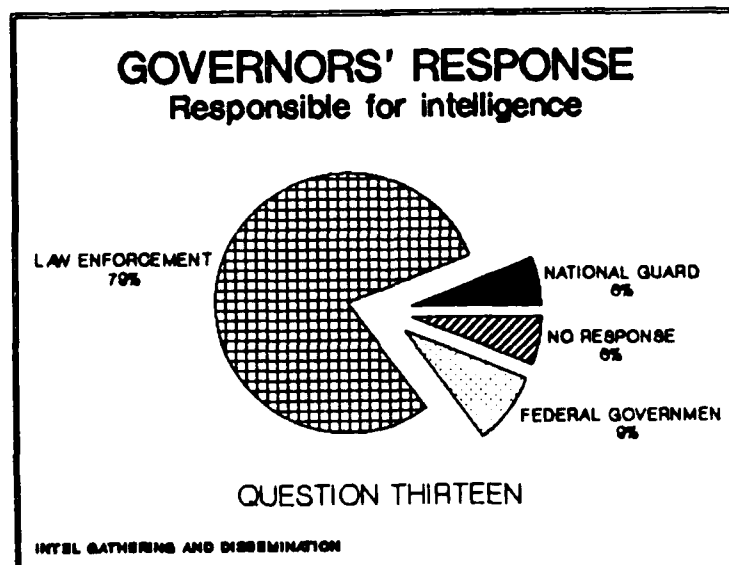
The Governors responded overwhelmingly that counternarcotics operations conducted by the National Guard within their State are effective. Some believe that more time and involvement will be required before an adequate assessment can be made. This may be due to the fact that there is a disproportionate amount of involvement in the respective states regarding counternarcotic operations. Some states for example have extensive programs involving large numbers of personnel and equipment, while other states have extremely limited programs involving very few personnel and small amounts of equipment.

12. What areas require more Federal assistance in support of the counternarcotics effort?



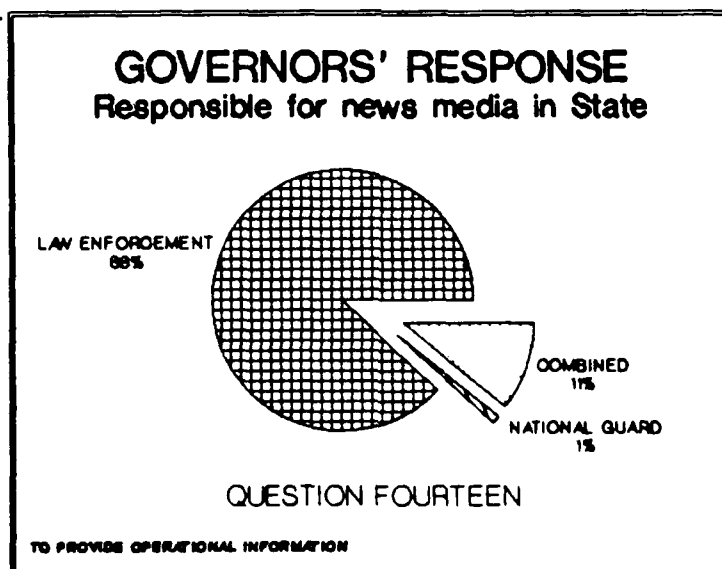
Governors indicated that funding, equipment, and communications--in order of priority--should be provided by the federal government. Governors who responded with "all of the above" also sought more active military support from the federal government in addition to the others.

13. Who should be responsible for the coordination of intelligence gathering and dissemination?



Most respondents would rather see law enforcement take the responsibility for intelligence-gathering and dissemination. The law is very clear as to what kinds of intelligence information can be gathered by the military and how it can be disseminated. The counternarcotics effort is being conducted against civilians, many of whom are Americans. Therefore, how we gather intelligence information and how we use it must conform to strict laws. The military mission is to support law enforcement agencies--the lead agency--in the counternarcotics effort. Therefore, intelligence gathering and dissemination should be the responsibility of law enforcement officials.

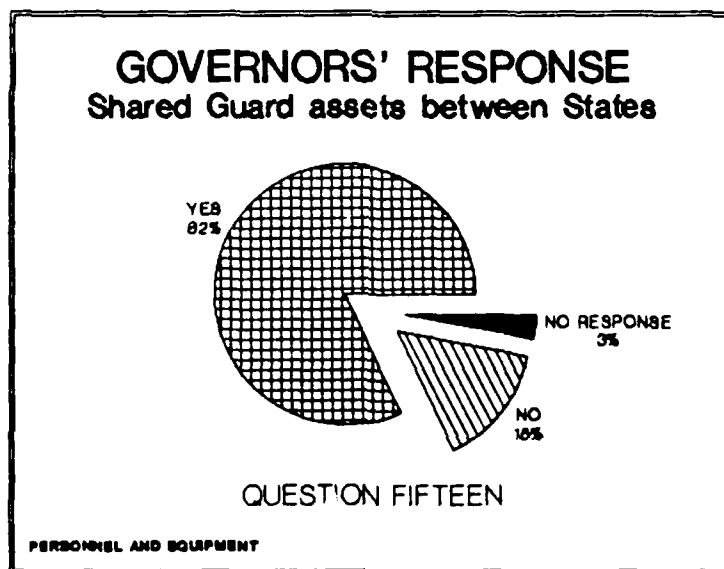
14. Who should be responsible within the State for Public Affairs, dealing with the news media?



The drug law enforcement agencies are the lead agency for counternarcotic operations in each state, while the National Guard is in a supporting role. Hence, most

governors agree that law enforcement officials should take the lead and be responsible for keeping the news media informed on counternarcotics operations in each state.

15. Do you support cross utilization of Guard assets, both equipment and personnel, between states?

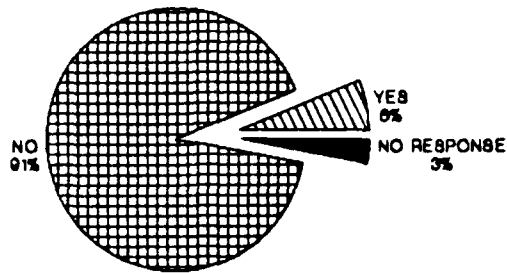


Overwhelmingly the governors are willing to utilize their Guard assets--both personnel and equipment--in support of other state drug missions. This suggests that the governors are willing to cooperate with each other and do whatever is necessary to support the nations drug strategy to combat the illicit drug problem.

16. Will involvement of the military in counternarcotics operations degrade their warfighting capabilities?

GOVERNORS' RESPONSE

Degradation of Warfighting Capabilities



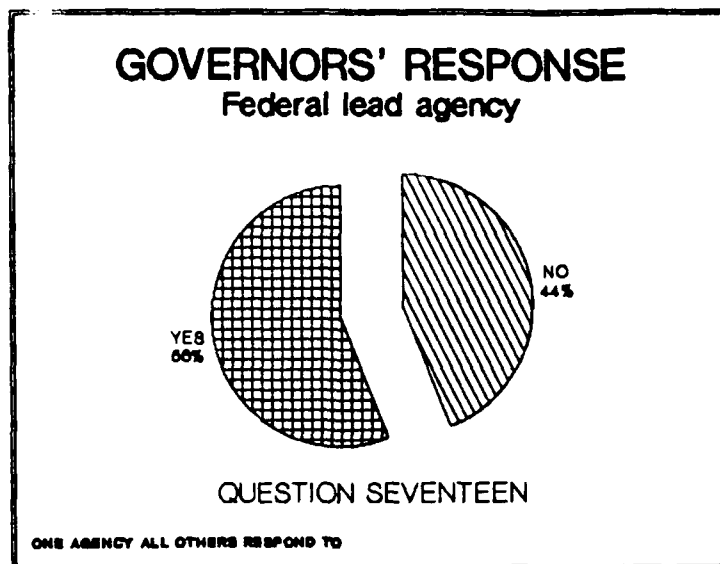
QUESTION SIXTEEN

USE OF MILITARY IN DRUG SUPPORT

The question has frequently been raised concerning the ability of the military to maintain its warfighting capabilities--specifically National Guardsmen--while conducting counternarcotics operations in support of law enforcement. Military leaders with experience in the counternarcotics effort indicate there is little impact on soldier warfighting skills due to involvement in the counternarcotics effort. In fact, basic soldier skills can be improved as a result of participation in counternarcotics operations. The Governors' responses support this observation. Innovative scheduling helps to minimize the impact on individual and unit readiness; it allows the soldier to train with his unit on those collective training skills required above the basic soldier skills.

One respondent commented, "Training benefits enhance military occupational skill qualification and readiness."

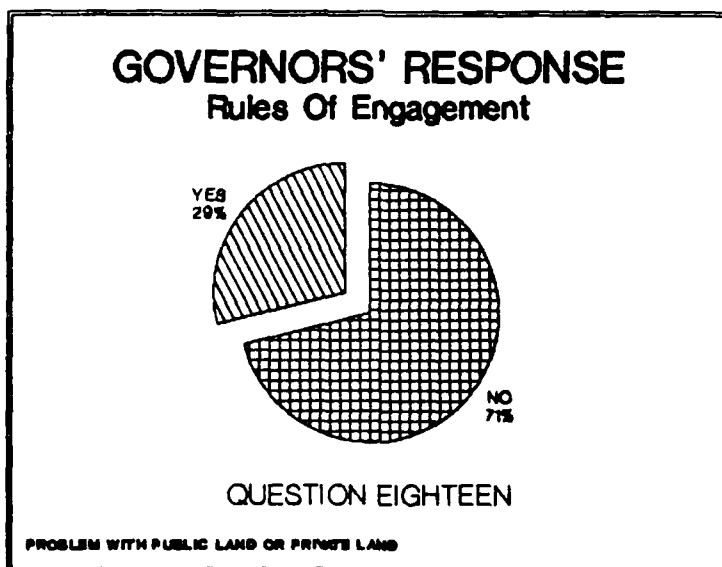
17. Do you feel that there should be one single agency, at the Federal level, who is in command and control of the entire counternarcotics effort? One agency that all others respond to.



The Office of National Drug Control Policy (ONDCP) was created by the Anti-Drug Abuse Act of 1988 with the responsibility to establish a national drug program and a budget to support it. This represented an attempt to place responsibility for the counternarcotics effort within one office of the federal government. Once the budget was developed and Congress approved it, federal and state agencies were left to themselves to determine their own counternarcotics program. Consequently, turf battles emerged, and clear direction on how to conduct the nation's counternarcotics effort has not come forth. This has impacted on the total effort in terms of command and control, communications effort, intelligence gathering and dissemination, and others. Clearly, the Governors are divided on this question. Those that responded "no" may fear that the federal government would impose its demands upon the states, thus restricting the states' ability to exercise their own initiatives. On the other hand, those that responded in the affirmative may be frustrated that a

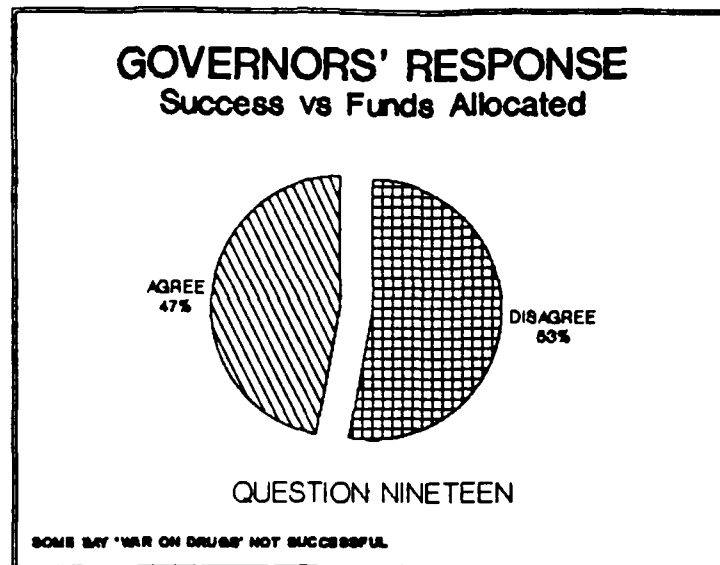
clearly defined "track" for conducting counternarcotics activities has not yet been laid out.

18. Are problems encountered with the Rules of Engagement when conducting missions on public land versus private land?



Federal and state laws declare who have powers of detainment and arrest, and under what conditions; they declare who can conduct operations on public land or private land. Of course, operations on private land require prior permission. This in itself creates problems when operations are to be clandestine. Most states have not had a problem with the rules of engagement. Those states that have a problem with rules of engagement provided no additional comments concerning the nature of the problem.

19. There are many who say that the "war on drugs" has not been successful in terms of the amount of funding allocated to stem the drug flow; favorable results are insufficient to date. Do you agree or disagree?



The governor's generally agree to support a counter-narcotics effort and are willing to use their National Guard assets to support that effort. However, they seem divided on the question of how successful the counternarcotics effort has been. The Governor's are not alone in this respect. A GAO report noted that:

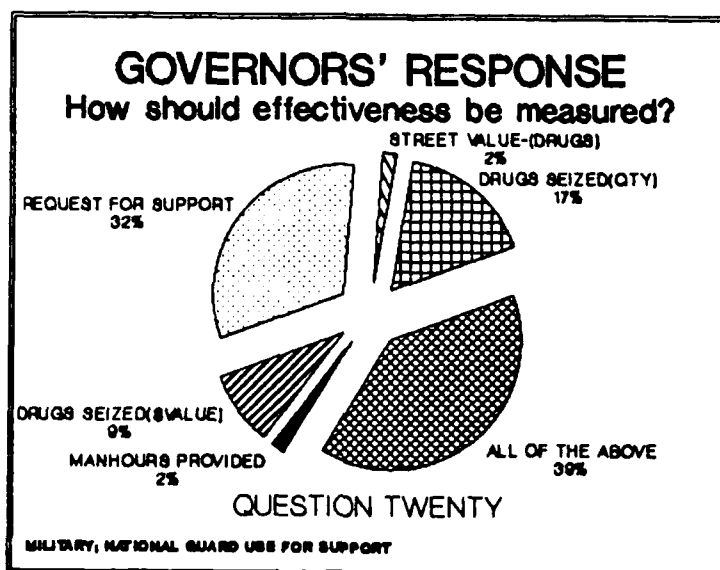
Experts disagree about which aspect of the government's strategy works best, the proper mix of anti-drug programs and the level of resources that should be devoted to each. Some experts believe that devoting more resources to interdiction will reduce the supply of drugs. Others say that efforts should be increased to eradicate drug production in foreign countries and shut off drugs at their source. An increasing number of experts believe that more resources should be spent on reducing the demand for drugs through education and treatment programs. Still other believe that substantial reductions in drug abuse will not occur unless there are fundamental changes in cultural attitudes and values which decrease society's demand for illegal drugs.(2)

One respondent noted:

"I agree more funds need to be allotted for the Counter-Drug Support program, but on the other hand, I feel that the results from the already received funding have

been favorable within our State, and will increase only when the Federal Counter-Drug budget increases."

20. Congress is asking the Office of National Drug Control Policy to determine the effectiveness--in terms of dollars allocated by Congress to fight the drug war--of the counter-narcotics operations. How should the effectiveness of the counternarcotics effort conducted by the National Guard organizations in your State be measured?



Question 20 offered respondents eight alternatives. Many of the governors selected "requests from law enforcement agencies filled" ("request for support" depicted in the chart) as the single best way to measure effectiveness of the counternarcotics effort. Likewise, many of the governors selected "all of the above" as their choice, which incorporates the selection "requests from law enforcement agencies filled". As the chart indicates, governors selected a variety of measurements of effectiveness in terms of dollars allocated by Congress to fight the "drug war".

Mr. Duncan, DOD coordinator for drug enforcement policy, is also concerned with how to measure effectiveness of DOD

involvement in the counternarcotics effort:

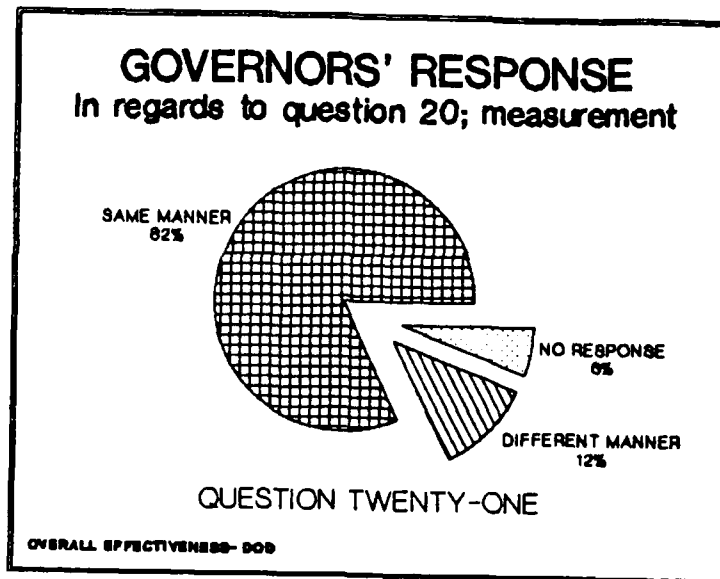
It is inappropriate and unreasonable to judge the performance or productivity of the DOD by such artificial 'body count' standards and statistics as the price of coca leaf at an Andean market, the street price of cocaine in a particular U.S. city, the number of pounds of marijuana confiscated or destroyed or by similar measures.....DOD should thus be judged in terms of its ability to perform the specific and important, but limited, missions that have been assigned to the department, i.e., by the quality of its support to law enforcement in the implementation of the National Drug Control Strategy. (3)

One respondent offered a comprehensive view on measurements of effectiveness:

"Success measured by plant count or dollar value is very misleading. We seized 345,000 plants this year, 35,000 more than last year. If next year's numbers are lower, do we measure it as not being a successful year, or were we successful this year in discouraging growers? Trends in street value measure supply and demand. If demand stays equal and supply goes down, price goes up. As price goes up, demand will gradually go down. Local law enforcement agencies are capable of tracking these trends and consolidating them at State and National levels. A true measure of success would be increased street value of drugs by demographic comparison."

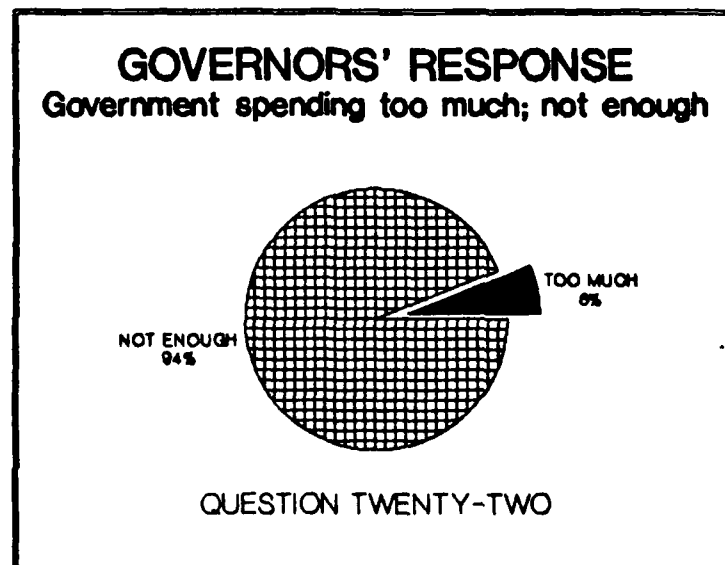
The diverse opinions and numerous measures available to measure effectiveness suggest that it is very important to be cautious on how the results of the counternarcotics effort are described.

21. In regards to question 20, should the overall effectiveness in the counternarcotics effort conducted by Department of Defense be measured in the same manner or in a different manner?



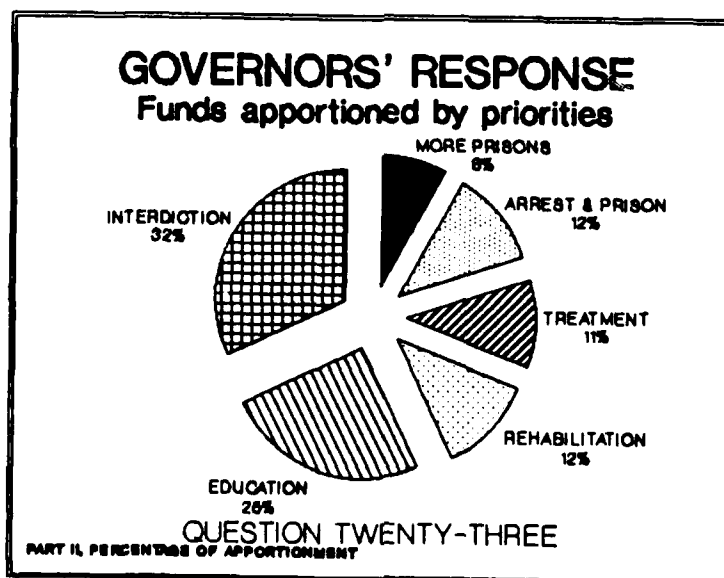
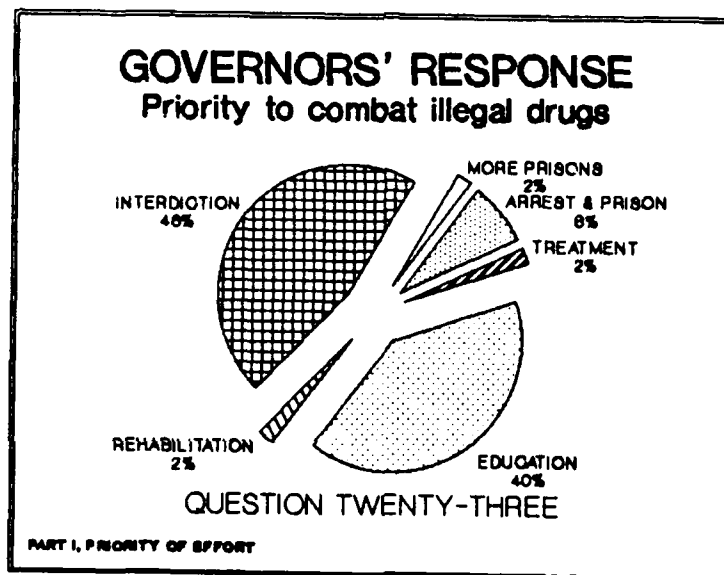
Most governors favored the same measurements of effectiveness be applied to the overall DOD effort in counter-narcotics activities. Those that indicated a different manner of measuring effectiveness did not provide comment outlining what those differences should be.

22. Is the Federal Government spending too much money or not enough money in the counternarcotics effort?



Most governors agree with surveys conducted with the American people that the Federal government should allocate more funds to the counternarcotics effort than are presently provided.

23. How best should the dollars provided for the counter-narcotics effort be apportioned to combat illegal drugs?



Question twenty-three is a two part question. First, how would the governors prioritize their strategy for combating illegal drugs. What would they attack first? Second, based on their strategy for combating illegal drugs how much funding would they apportion to each of the priorities.

As in the Gallup polls of 1986 and 1988, the governors responded that interdiction and education are their first two priorities for combating illegal drugs in our country. And they followed up with a desire to apportion most funds to interdiction, and then the second highest appropriation to education. Gallup poll results indicated the same two priorities, only in reverse order: education, then interdiction. It is clear to see over the last four years that elected officials and the American citizens still see education and interdiction as the top two priorities in meeting the Nation's drug control strategy.

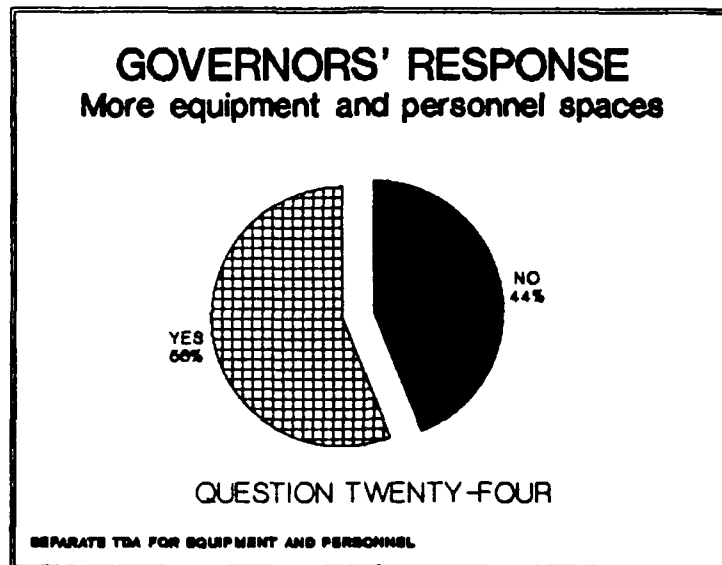
Additional comments were provided by two of the respondents:

"Interdiction is a poor strategy; zero tolerance and user accountability are equally poor strategies. Education and treatment need to be stressed."

"Our State National Guard has developed an effective community seminar program to attack the demand side of the problem. Our armories are used to conduct these public information sessions. They have been most effective."

24. Those States that are participating in the counter-narcotics effort usually are doing so with Federal funds provided to pay personnel costs only. While equipment, facilities, administrative resources, and other associated costs come from within existing Guard assets. This generally draws required resources from fulltime personnel conducting day to day National Guard business, and it can impact on

weekend training. Would it be beneficial to have a separate Table of Distribution and Allowances authorized for equipment and soldiers to perform counternarcotics operations within your State; more equipment and more personnel spaces in addition to those already allotted to your State in counternarcotics operations only?

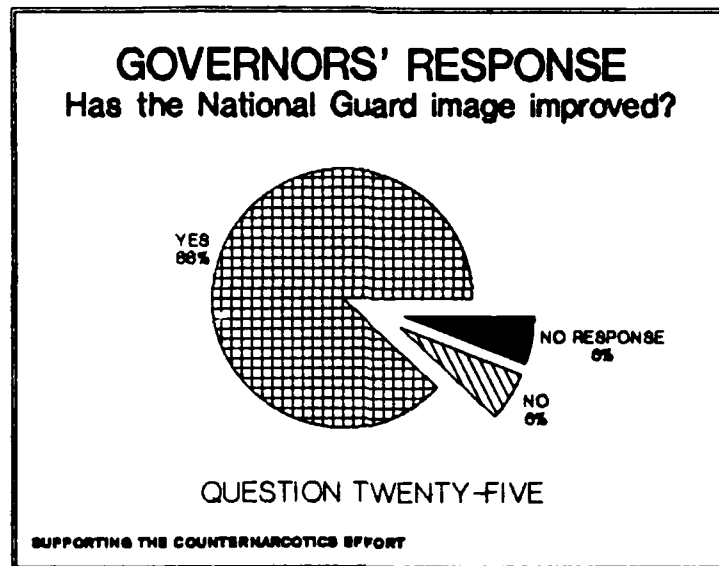


This question elicited several comments:

"Not in our State. Operations and maintenance funds are provided in Federal dollars allocated. Current equipment on hand meets our need; however, key personnel positions are needed at the State headquarters level to manage the program".

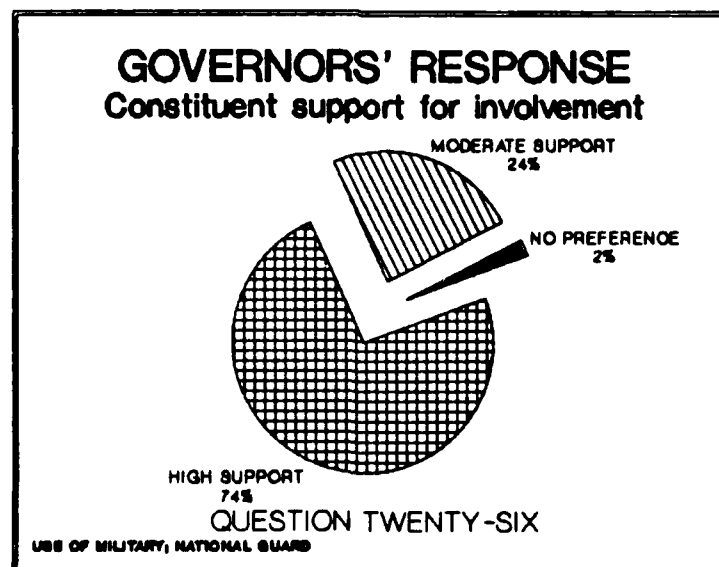
"Table of Distribution and Allowance for counternarcotics operations, both equipment and personnel, will greatly enhance mission performance capabilities in the State. The equipment for counternarcotics operations must be borrowed from units causing undue wear and tear on unit assets. A problem also exists when units require their equipment for drill and Annual Training at the same time counternarcotics operations requires it for their missions. Fulltime personnel not funded by the counternarcotics budget are not used in the program. Traditional Guard personnel in the status of Active Duty Special Work are the only personnel utilized to support this program. This creates a management hardship when drills and Annual Training periods require attendance by support personnel."

25. Do you feel that the National Guard image has improved because of its support to the Presidents' National Drug Control Strategy?



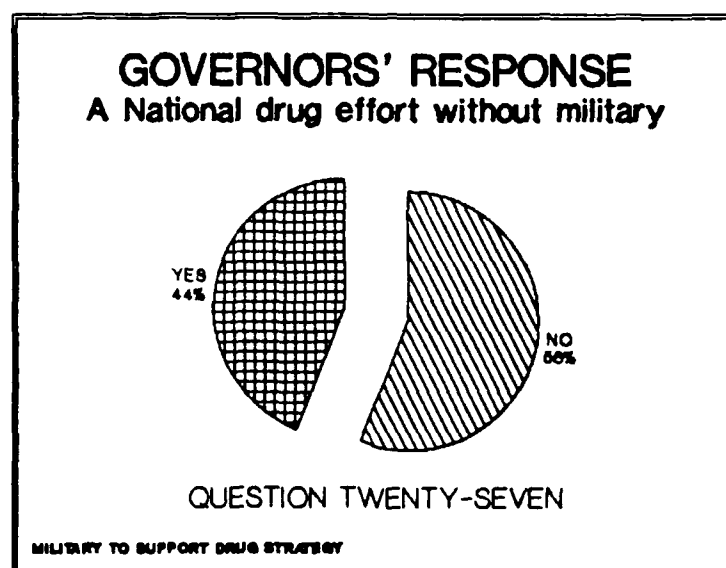
As depicted on the chart, most governors indicated that the National Guard image has benefited from the support provided to law enforcement in the counternarcotics effort.

26. To what extent do you feel that your constituents support military involvement in the counternarcotics effort?



Along with the National Guards public image being improved, most governors indicate that their constituents are highly supportive of military involvement in the counter-narcotics effort.

27. Can the Nation have a counternarcotics effort without the use of the military?



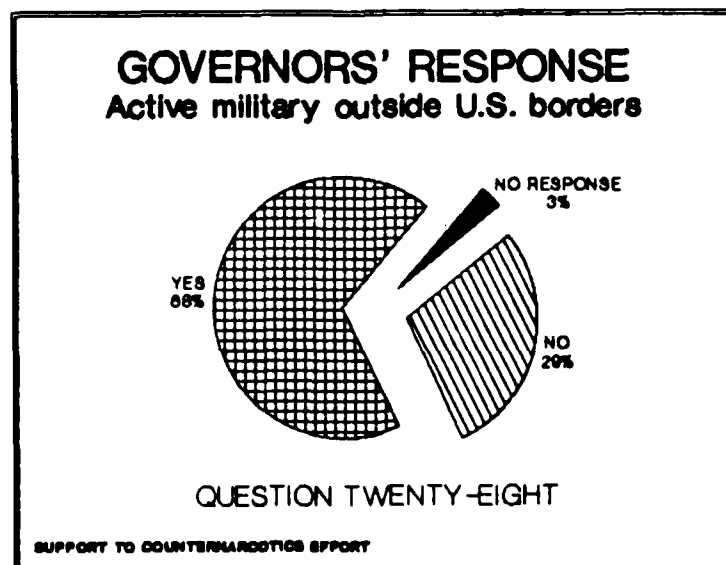
The governors' responses to this question are difficult to analyze. The governors all agree to support the National Drug Control Strategy and use their National Guard assets to support the counternarcotics effort. At the same time, they are divided as to whether this Nation could have a National Drug effort without the military. A possible explanation to the responses received on this question may be based on whether one is an advocate of reducing the demand side of the drug problem or an advocate of reducing the supply side of the drug problem. Advocates for reducing the demand side of the drug problem tend to minimize the importance of military

involvement, while advocates for reducing the supply side of the drug problem see a greater need for military involvement. Regardless of which side is favored, a successful counter-narcotics effort should deal with all aspects of the problem. No one strategy unto itself will solve the nation's drug problem. One respondent who answered "no" to this question, provided the following additional comments:

"Law enforcement agencies lack military type equipment; helicopters, night vision goggles, and training areas. We are pleased that Federal Funds have been made available to our State to fight the 'War on Drugs.' The Army National Guard in our State has been proactive in their approach to support law enforcement. Their response to requests for support are quick and efficient. The rapport between all agencies in our State Guard is outstanding. Request for support are constantly increasing and the States budget has gone from 163 thousand dollars to 1.2 million dollars for FY 1991."

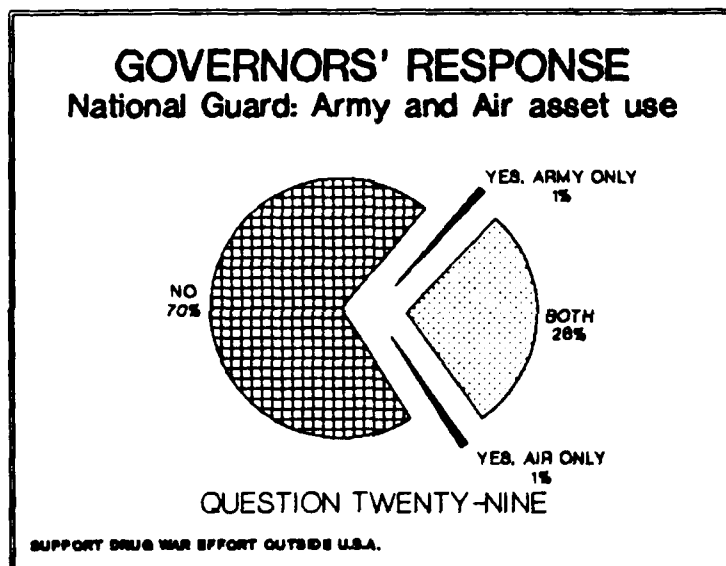
Another respondent commented by stating, "There can be a counternarcotics effort without the National Guard support in our State, but I feel the impact would be greatly reduced without the National Guard support in the area of equipment and personnel."

28. Should the active military be used for counternarcotics activities within other countries?



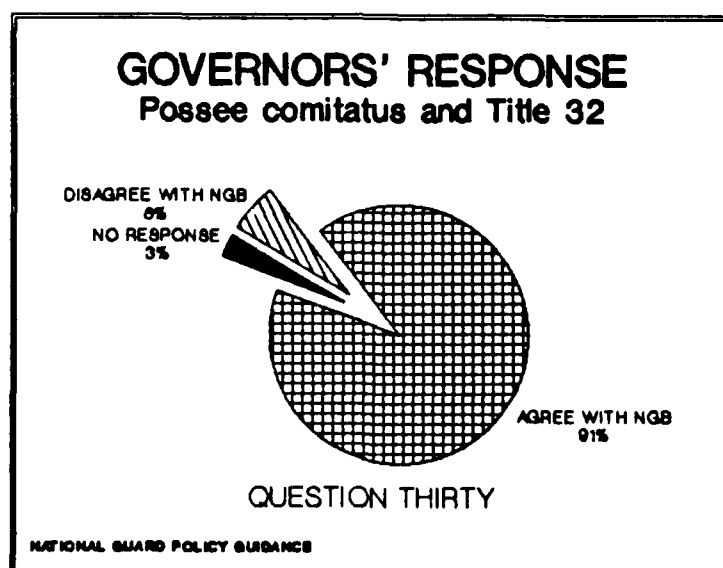
This is an important perception if active military forces are going to be used in counternarcotic operations outside the continental United States. The hazards and long term implications of such actions suggest that there needs to be a willingness and commitment of the American people to support such operations.

29. Should the National Guard, both Army and Air assets, be used for counternarcotic activities within other countries?



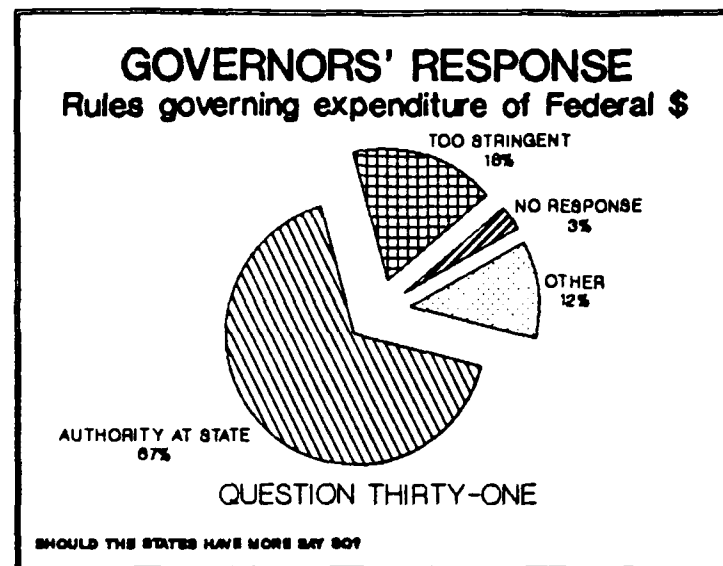
Most governors do not want their National Guard assets used outside of the continental United States. However, it is interesting to note that almost thirty percent of those who responded would support use of their Guard assets outside of the continental United States in support of counter-narcotics operations. This could be an indicator of the degree of concern our elected officials have about the drug problem.

30. The Guardsmen who perform counternarcotics activities are doing so under Title 32 status and are exempt from posse comitatus restrictions. National Guard Bureau places restrictions on arrests, pursuit, or involvement with chain of custody. How do you feel about these policies?



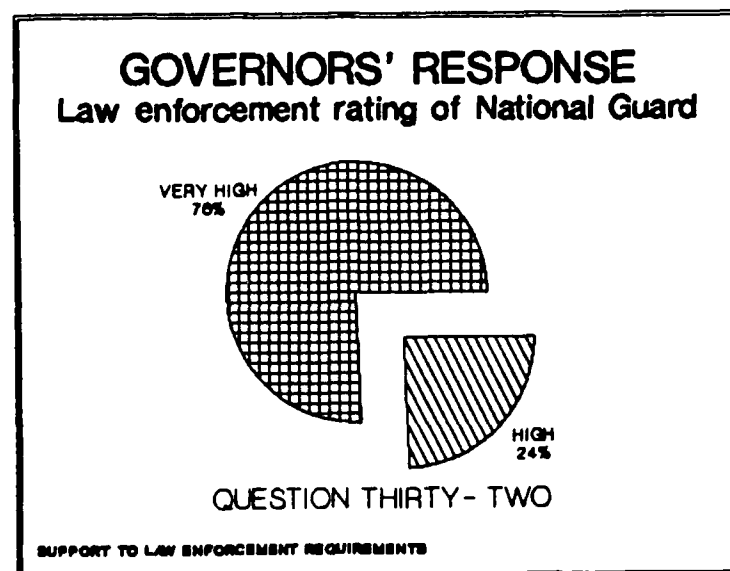
There is strong agreement among governors for support of National Guard Bureau policies that restrict the manner in which National Guard personnel can be used in counternarcotic activities.

31. Funds to conduct counternarcotics activities are provided for personnel pay. Recently funds have been authorized for office equipment rental; to pay for other than base pay for Guardsmen, and to pay for equipment and transportation leasing. Are the rules governing expenditures of Federal dollars for the counternarcotics effort to stringent; not stringent enough? Should the State's have more authority to expend funds, as they deem necessary, to support the counternarcotics effort?



It is generally felt that the state government should have greater authority in determining how appropriated federal funds should be expended.

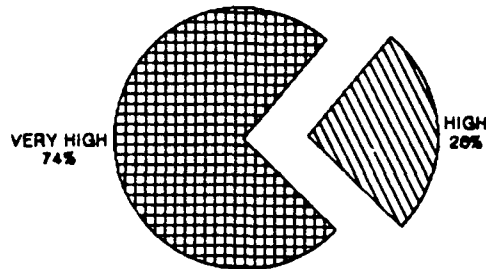
32. How do law enforcement agencies in your State rate National Guard counternarcotics activities in support of law enforcement mission requirements?



33. How would you rate law enforcement and the National Guard in terms of cooperation, mutual support, and team effectiveness?

GOVERNORS' RESPONSE

Rating of law enforcement by NG



QUESTION THIRTY-THREE

COOPERATION, MUTUAL SUPPORT, EFFICIENCY

Early in the initial stages of the counternarcotics effort and the employment of National Guard assets to support this effort, many problems evolved about how allocated Federal funds could be expended and under what circumstances. Initial guidance, for example, indicated that only soldier base pay was authorized for expenditure out of allotted Federal funds. Most of these problems have been resolved. A memorandum from the National Guard Bureau, dated 15 February 1990, has further clarified this issue. The memorandum states:

Funding provided by the FY 90 Defense Authorization Act may be used for the pay, allowances, clothing, subsistence, travel and related expenses of personnel. Funding includes the operation and maintenance expenses incurred pertaining to drug activities. This also includes the procurement of services and leasing of equipment for the National Guard use for the purpose of counter drug activities in support of law enforcement agencies.

ENDNOTES

1. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 3.
2. United States General Accounting Office, Drug Control: Issues Surrounding Increased Use of the Military in Drug Interdiction, (GAO/NSIAD-88-156) April 1988, p. 16-17.
3. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, p. 12.

CHAPTER VII

LAW ENFORCEMENT RESPONDS

So far our discussion on counternarcotics has defined the potential threat, reviewed military involvement, and discussed how the military can be used to support our National Drug Control Strategy. Then we have noted what the American people saw as their primary concerns in regards to illicit drugs. Finally, we have surveyed our top elected state officials, to determine their views on use of the military and the counternarcotics effort.

How do law enforcement personnel view the counternarcotics effort and military involvement? To answer this question, an oral interview was conducted with a senior policy analyst for the Office of National Drug Control Policy. (1) This individual was selected because of his long association with law enforcement, specifically drug enforcement with a lead agency, at the local and national levels. His background as a drug law enforcement officer spans 15 years. Since 1986, his duties involved him with the military and the National Guard in counternarcotics operations--within the Office of National Drug Control Policy. This office was established by the Anti-Drug Abuse Act of 1988 to consolidate a National Drug Control Program under a single agency.

The analyst's response follows each question.

1. Title XI of the FY 1989 National Defense Authorization Act provides for increased responsibility and increased the role of the military in the counternarcotics effort. How would you rate the Active Military in support of law

enforcement in the counternarcotics effort?

"Military support to law enforcement is in the process of being refined. To date, support has been sluggish because of the bureaucratic systems. The military support is also restricted by law and policy. Active military support is most effective in the area of detection and monitoring because of their technological advantages and expertise."

2. Title XI of the FY 1989 National Defense Authorization Act provides for an enhanced role for the National Guard in the counternarcotics effort. How would you rate the National Guard in support of law enforcement in the counternarcotics effort?

"The National Guard has distinct advantages over the other military entities in that they are not as restricted by posse comitatus. Other advantages include the fact that they are local, and many know the areas in which they are working. The National Guard also has individuals on the job who will remain in the area for years. This provides a quantity of knowledgeable, trained, and experienced individuals on a continuing basis."

3. Are there missions better suited for one component of the military over the other? What role should each of these military organizations play in the counternarcotics effort?

"As discussed above, there are missions that the National Guard can do better than other military organizations, because they are not as restricted. The National Guard should do those missions that are local and within the United States, while the Active Component should continue to conduct

missions such as monitoring and detection. The military should not overwhelm law enforcement with numbers, dollars, and equipment. Any new cooperation takes time to become effective. So will the combined law enforcement and military effort. The military involvement alone has been one effective deterrent. Operations such as removing Noriega add to that deterrent. Only the military could have pulled that one off."

4. Can the Nation have a counternarcotics effort without the use of the military?

"The Nation had an effective counternarcotics effort prior to the military involvement. The military can only add to its effectiveness. Should they be involved? Absolutely!"

5. Would the dollars provided for military involvement in counternarcotics effort better serve the counternarcotics effort if it were given to drug law enforcement agencies to hire and train more personnel?

"There is always the question of cost effectiveness, but you never know until you try. I think they should put more money into a human intelligence network. I don't think they should shortstall the military effort on the runway."

6. There are many who say that the "war on drugs" has not been successful in terms of the amount of funding allocated to stem the drug flow. Further, they say favorable results are insufficient to date. Do you agree or disagree?

"The individuals who do not think the drug war is successful are not providing an accurate picture as to what standards they are measuring success on. You can't solve

every problem by throwing money at it. All the law enforcement agencies could use more people and money, but that need has to be weighed with other requirement. Congress handles that for the United States. Let the people asking the question ask their Congressmen and soon they will throw more at the problem."

7. How best should the dollars provided for the counter-narcotics effort be apportioned? In each of the following categories: Interdiction, education, rehabilitation, treatment, heavier penalties, or more prisons.

"Again, a continuing question that will always be asked. The United States government is the sole authority to protect the borders, so a bigger percentage of the U.S. tax dollar has to go to interdiction and law enforcement. Education, rehabilitation, and the others can be shared with the state and local governments in concert with community involvement. Education begins at home. Right now, I think the blend of federal monies spent on the drug problem is pretty close to the target. As demand is reduced through deterrence and education, more enforcement money can be shifted. I see the drug enforcement effort as a holding action until education converts the populace against drugs. There will always be the hard core user."

8. How should the effectiveness, or by what standards should agencies measure success--in counternarcotics operations?

"Seems like you are asking the perpetual questions. Law enforcement has always used statistics on arrests,

indictments, seizures, and others to measure success. Deterrence is hard to measure. Eventually, if things improve the statistics will dwindle. Will people think we are slouching on the job when that happens? The best measure of success will be the results of education, in regards to the future, much like the education that is stemming the use of cigarette and tobacco use."

9. Is the Administration's Drug Control Strategy working? Are we gaining on the counternarcotics effort in this country?

"The drug strategy in place is working, is effective, and is improving. Unfortunately, dopers have many more markets world wide for distribution of drugs. They recently made an eleven ton seizure of cocaine in Germany. Is the strategy perfect? No, but it sure is an improvement on the past. The people are behind the effort and that's most of the battle."

10. Has the intelligence gathering and dissemination effort improved since 1988?

"The intelligence function is in the process of refinement. There is an on going effort to enhance collection, dissemination and fusion of intelligence. Tactical intelligence is a high priority. The military does a lot to help this effort as they conduct their support role to law enforcement in combating illegal drugs."

11. Good intelligence is necessary, if interdiction activities are to be successful. Is C3I working and is it effective?

"C3I is working to the extent that narcotics smugglers are landing their smuggling aircraft in Northern Mexico instead of transiting the border. Smaller loads are coming through in shotgun approach. I think that there is more than sufficient intelligence--just not enough people to work it all when it is fused and disseminated in a timely manner."

12. Title XI of the FY 1989 National Defense Authorization Act stipulates that the Department of Defense will coordinate its responsibilities and its own missions with federal, state, and local law enforcement agencies. A Border Interdiction committee was established. Can you tell me the purpose of the Border Interdiction committee? Is the BIC functioning as intended.

"The BIC was established to coordinate strategy to interdict drugs between source and transit countries and our border. The BIC does not get involved in state and local issues. It is a federal operation and is working extremely well."

13. The problem with interoperability among organizations--especially with communications equipment--has hampered operations in the past. Is this being addressed and do you see a fix coming soon.

"The Defense Department and the Office of Drug Control Policy Communications Interoperability Working Group are addressing those issues and have made recommendations for the funding of enhancements and solutions to problem areas."

14. Should the military be used in foreign countries to stem the drug flow?

"They sure stemmed it in Panama. The question is being dealt with on a country basis. The sovereignty issue is the usual roadblock to this involvement."

15. We know there is a National Drug Control Strategy with clear defined goals. However, each agency involved has its way of doing business. Would having one single agency responsible for counternarcotics efforts at the operational level, that all other agencies respond to, be in everyone's best interest?

"Major city police departments have one authority in charge. They still have problems. The system now allows for more avenues of approach to the problem and that's not bad. As for the immediate future, I don't see the overwhelming need to consolidate the authority. The agencies involved in the drug effort must implement the strategy as the President sees it. He is the ultimate boss on policy and, if need be, operationally as well."

16. Concerns regarding the prosecution of drug offenders and subsequent incarceration have been a problem area. What are your concerns about this problem?

"Death penalty for kingpins, those employing violence in their operations, and those dealing drugs to minors. The pendulum in the criminal justice system has swung slowly back toward law enforcement. Less appeals to convictions."

17. Debate on whether to legalize drugs and reap the benefit from revenues imposed on their legal sale has been on going for some time. Do you feel that the legalization of drugs is the right thing to do? Why?

"Absolutely not. Legalizing drugs won't make them mo... Legalizing drugs won't deep drug users off the roads, off the job, or away from schools. Taxing legal drugs would give the criminal element black market opportunities, thus the problem would not go away. It is about time we go back to the system of making each person responsible for his own actions. I would hate to tell my kids, 'Don't use drugs, they are legal but not good for you.' I have enough problems explaining booze and cigarettes."

18. Should there be a National Drug Intelligence Center?

"Yes. I think intelligence capabilities should be expanded and interface with the El Paso Intelligence Center already in being."

ENDNOTES

1. The author conducted this interview in November 1990. respondent consented to allow the interview to take place on the condition that the source would not be identified--for security reasons.

CHAPTER VIII

THE FUTURE

The counternarcotics effort, the "war on drugs," or whatever term you might want to apply to the epidemic social disorder that we are experiencing in our country, has not come close to winning the battle. Every day we read or hear about drug abuse and its effects on society. The counternarcotics effort to eliminate this social disorder began only a few short years ago. Many experts state that our efforts to improve interdiction, education, rehabilitation, our criminal justice system, and provide stiffer prison sentences must be continued and in most cases expanded. Many believe the war on drugs will last for ten, fifteen or more years before we can begin to claim a real victory.

Is there a need for the military in this effort? The American people acknowledge that we need it; local, state, and federal governments acknowledge that we need it; and law enforcement agencies acknowledge that we need it.

Recently, the Secretary of Defense added five new initiatives designed to broaden DOD's support of the National Drug Control Strategy.

Up to 275 military personnel will be detailed to federal drug law enforcement agencies and the Office of National Control Policy to perform liaison, training and planning functions as appropriate and to assist in the implementation of the National Drug Control Strategy and the guidance of the Secretary of Defense for the implementation of the strategy.

Authorize military personnel to provide specialized training for future supervisory personnel in state and

local rehabilitation-oriented training camps for first time drug offenders. Authorize the department and its operational units to expand programs for training drug law enforcement agency personnel in languages, planning skills, logistics, communications, tactics, equipment operation and maintenance and intelligence.

Directed an expansion of the use of military working dogs and handlers to support the inspection by drug law enforcement agencies of cargo arriving in the United States by aerial and maritime transportation.

Directed the establishment of four regional logistical support offices to coordinate the responses of DOD to the requests of federal, state, and local drug law enforcement agencies for non-operational(e.g. equipment support). (1)

To support the counternarcotics effort, DOD submitted in its FY 1991 budget a total of 1.2 billion dollars for the counternarcotics effort. Much of this funding will go to the National Guard for their continued support to local and state drug law enforcement agencies. A significant portion of the funding will be used to purchase enhanced communication equipment to provide better interoperability among all agencies.

Finally, the social epidemic that our country is facing and our efforts to combat it presents a totally different kind of conflict than we have ever faced before. While there is great support for using the military and the National Guard in the counternarcotics effort, the military alone cannot guarantee success. Through education, the national will must be strengthened so that we can conduct this effort on a united front. There must be community support, as well as, support from our education institutions, and our churches. Moreover, there must be strong family support;

family support and involvement are needed to resist illicit drug operations by those that would undermine our society.

Mr. Bennett, former Director, Office of National Drug Control Policy sums it up this way:

As we implement our national strategy in the months ahead, we should bear in mind the message implicit in each policy. For a national drug strategy should do more than provide services and funding. It should encourage individual responsibility. It should promote accountability among both citizens and government agencies. And it should aggressively challenge drug use and drug-related crime, and thus help save the next generation from their ravages. (2)

ENDNOTES

1. Stephen M. Duncan, DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No, 22, 22 March 1990, p. 9.
2. William J. Bennett, National Drug Control Strategy, United States, THE WHITE HOUSE, (Washington: GPO, January 1990), p. 9.

APPENDIX A
TO
NATIONAL SECURITY STRATEGY:
THE COUNTERNARCOTICS EFFORT REVISITED (1991)
SURVEY QUESTIONNAIRE

BIBLIOGRAPHY

Brannen, Mark D, LTC, The Nature Of The Drug War, pp. 22- 25.

Cheney, Dick. Report of the Secretary of Defense to the President and the Congress. (Washington: GPO 1990), January 1990, pp. 54-56.

DiegmueLLer, Karen. Passing a Legacy of Drug Addiction, Insight, 4 September 1989, p. 22.

Dobbs, William W, COL, The Military's Role In Drug Interdiction Can Be Successful, Research Report, Air War College, May 1989, pp. 1, 24 -27, 31-32.

Duncan, Stephan M. DOD Steps Up The Counternarcotics Fight, Defense Issues, Vol. 5, No. 22, 22 March 1990, pp. 1-3, 9.

Gallup, George, Jr. The Gallup Poll: Public Opinion 1986, pp. 191-194

Gallup, 1988, pp. 52-54.

Hertling, Mark P. Narcoterrorism: The New Conventional War, Military Review, March 1989, pp. 17, 22.

Mosely, Michel S, LTC, The Military Joins The War On Drugs, April 1987, pp. 2-9.

Munger Murl D. and Mendel William W. Campanign Planning and The Drug War, SSI U.S. Army War College, November 1990, pp. 1-14, 72.

Rohde, Alesksandra M. Pushing the Limits of Posse Comitatus, National Guard Magazine, Vol, 43, No. 8, August 1989, p. 31.

Silva, Manuel F, LTC, The Role Of The National Guard In Drug Interdiction, 20 February 1990, pp. 1-6, 12-18.

Simth, Richard M. "The Drug Crisis", Newsweek, 16 June 1986, p. 15.

Stone, P.W. Michale and Vuono, Carl E. Trained and Ready in an Era of Change, The Posture of The United States Army Fiscal Year 1991. Posture statement presented to Committees and Subcommittees of the United States Senate and House Of Representatives, Second Session, 101st Congress, pp. I-14-I-15.

Temple, Herbert R. Jr. The Nation's War on Drugs, Vital Speeches Of The Day, Vol. LV, No. 17, 15 June 1989, pp. 516-519.

Temple, Herbert R. Jr. and Stewart, L. Walter. The Nation Guard and The War On Drugs, Military Review, March 1990, p. 41.

U.S. Department of the Army, Field Manual 100-20, Military Operations in Low Intensity Conflict, 1 December 1989, pp. 5-1, 5-15.

United States Government Accounting Office. Drug Control: Issues Surrounding Increased Use of The Military in Drug Interdiction, (GAO/NSIAD-88-156), April 1988, pp. 4, 16-17.

United State Government Accounting Office. Report to the Congress. Military Assistance for Drug Enforcement Agencies (GAO/NAISD-89-45), November 1988, pp. 4-5, 7.

United State White House. National Drug Control Strategy: Budget Summary, (Washington: GPO, 1990), pp. 1-8, 140-143.

United States White House. National Drug Control Strategy, (Washington: GPO, 1989), pp. 1-14.

United State White House. National Drug Control Strategy, (Washington: GPO, 1990), p. 9.

QUESTIONNAIRE

Indicate your preference by circling your preference from the answer provided. At the end of this questionnaire is space for further comments if you so desire.

1. Title XI of the FY 1989 National Defense Authorization Act provides an enhanced role for the National Guard, under the direction of the State governor, to support State drug interdiction and law enforcement. Do you use the National Guard in you State for drug interdiction and support to law enforcement agencies?

- a. Yes
- b. No

2. What role do you play as governor, in providing guidance or directing the counternarcotics effort, in your State?

Very Active	Moderately Active	Delegate Authority	Not Active
1	2	3	4

3. The military is being requested by the Department of Defense to become more involved in counternarcotics interdiction. Should the military be involved?

- a. Yes
- b. No

4. If you responded to question number 3 in the affirmative, who should have greater responsibility for conducting drug interdiction, the Active Component or the National Guard?

- a. Active Component
- b. National Guard

5. In your opinion, how should the National Guard be utilized in the counternarcotics effort?

- a. To provide training only
- b. To provide equipment only
- c. To provide Guardsmen only
- d. To provide all of the above
- e. No participation
- f. Other(please identify)

6. Does your State require law enforcement personnel to accompany Guardsmen when on a mission?

- a. Yes
- b. No

7. Should the federal government provide funds to off-set the cost to local and state law enforcement personnel to support federal programs. i.e., to have law enforcement employed with Guardsmen while in support of law enforcement activities?

- a. Yes
- b. No

8. In preparation of your state budget, do you include the cost of Guard support to law enforcement in support of counternarcotics operations?

- a. Yes
- b. No

9. Do active military forces conduct counternarcotics operations within your State?

- a. Yes
- b. No

10. Within your state boundaries, should the Active Component or the Guard be the lead organization in support of law enforcement with regards to counternarcotics efforts?

- a. Active Component
- b. National Guard

11. Do you consider the counternarcotics effort conducted by your Guard organization to be effective in the curtailment of drugs in your State?

- a. Yes
- b. No

12. What areas require more Federal assistance in support of the counternarcotics effort?

- a. Provide more funding
- b. Provide more equipment
- c. Provide more Active Component support
- d. Enhance communications capabilities
- e. All of the above
- f. None
- g. Other(please identify)

13. Who should be responsible for the coordination of intelligence gathering and dissemination?

- a. The National Guard

- b. Law Enforcement
- c. Federal Government

14. Who should be responsible within the State for Public Affairs, ie, dealing with the news media?

- a. The National Guard
- b. Law Enforcement

15. Do you support cross utilizations of Guard assets, both equipment and personnel, between states?

- a. Yes
- b. No

16. Will involvement of the military in counternarcotics operations degrade their warfighting capabilities?

- a. Yes
- b. No

17. Do you feel that there should be one single agency, at the Federal level, who is in command and control of the entire counternarcotics effort? One agency that all other agencies respond to.

- a. Yes
- b. No

18. Are problems encountered with the Rules of Engagement when conducting missions on public land versus private land?

- a. Yes
- b. No

19. There are many who say that the "war on drugs" has not been successful in terms of the amount of funding allocated to stem the drug flow; favorable results are insufficient to date. Do you agree or disagree?

- a. Agree
- b. Disagree

20. Congress is asking the Office of National Drug Control Policy to determine the effectiveness--in terms of dollars allocated by Congress to fight the drug war--of the counternarcotics operations. How should the effectiveness of the counternarcotics effort conducted by the National Guard organizations in your State be measured?

- a. In terms of drugs seized(quantity)
- b. In terms of drugs seized(dollar value)
- c. In terms of requests for support from law enforcement agencies filled

- d. In terms of street value of drugs
- e. In terms of numbers of addicts
- f. In terms of manhours provided
- g. All of the above
- h. Other:(please identify)

21. In regards to question 20, should the overall effectiveness in the counternarcotics effort conducted by Department of Defense be measured in the same manner or in a different manner?

- a. Same manner
- b. Different manner
- c. Other(please identify)

22. Is the Federal Government spending too much money or not enough money in the counternarcotics effort?

- a. Too much
- b. Not enough

23. How best should the dollars provided for the counter-narcotics effort be apportioned to combat illegal drugs? In each of the categories listed below, please prioritize and list a percentage of apportionment.

- | | Priority | Percentage |
|----------------------------|----------|------------|
| a. Interdiction | | |
| b. Education | | |
| c. Rehabilitation | | |
| d. Treatment | | |
| e. Arrest and Imprisonment | | |
| f. More Prisons | | |
| g. Other(please identify) | | |

24. Those States that are participating in the counternarcotics effort usually are doing so with Federal funds provided to pay personnel cost only. While equipment, facilities, administrative resources, and other associated cost come from within existing Guard assets. This generally draws required resources from fulltime personnel conducting day to day National Guard business, and it can impact on weekend training. Would it be beneficial to have a separate Table of Distribution and Allowances authorized for equipment and soldiers to perform counternarcotics operations within your State?, ie, more equipment and personnel spaces in addition to those already allotted to your State for counternarcotics operations only.

- a. Yes
- b. No

25. Do you feel that the National Guards image has improved because of its support to the President's National Drug

Control Strategy?

- a. Yes
- b. No

26. To what extent do you feel that your constituents support the military involvement in the counternarcotics effort?

- a. Highly Support
- b. Moderately Support
- c. No Preference
- d. Do Not Support

27. Can the Nation have a counternarcotics effort without the use of the military?

- a. Yes
- b. No

28. Should the military be used for counternarcotics activities within other countries?

- a. Yes
- b. No

29. Should the National Guard, both Army and Air assets, be used for counternarcotics activities within other countries?

- a. Yes, Army only
- b. Yes, Air only
- c. Both
- d. No

30. The Guardsmen who perform counternarcotics activities are doing so under Title 32 status and exempt from posse comitatus restrictions. National Guard Bureau places restrictions on arrests, pursuit, or involvement with chain of custody. How do you feel about these policies?

- a. Agree
- b. Disagree

31. Funds to conduct counternarcotics activities are provided for personnel pay. Recently funds have been authorized for office equipment rental; to pay for other than base pay for Guardsmen, and to pay for equipment and transportation leasing. Are the rules governing expenditures of Federal dollars for the counternarcotics effort too stringent; not stringent enough? Should the State's have more authority to expend funds, as they deem necessary, to support the counternarcotics effort?

- a. Too Stringent
- b. Not Stringent Enough
- c. Authority vested with the State
- d. Other(please comment)

32. How do law enforcement agencies in your State rate National Guard counternarcotics activities in support of law enforcement mission requirements?

Very High	High	Average	Low	Very Low
1	2	3	4	5

33. How would you rate law enforcement and the National Guard in terms of cooperation, mutual support, and team effectiveness?

Very High	High	Average	Low	Very Low
1	2	3	4	5

Please submit any comments or thoughts you may have on any of the questions above, or additional thoughts or comments you may wish to add.